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CALIFORNIA STATE GOVERNMENT

AN OUTLINE OF ITS ADMINISTRATIVE ORGANIZATION

VOL. 2

THE INDEPENDENT AGENCIES
FROM 1850 TO 1939

BY ELSEY HURT
BUREAU OF PUBLIC ADMINISTRATION
UNIVERSITY OF CALIFORNIA

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California State Department of Finance

California State Government

An Outline of Its Administrative Organization

v. 2

The Independent Agencies, 1850 to 1939

By ELSEY HURT
Bureau of Public Administration
University of California

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FOREWORD

The reference work, "California State Government: An Outline of Its Administrative Organization from 1850 to 1936," by Elsey Hurt, has a sequel in the later study of the independent agencies of California state government, published here by the Bureau of Public Administration of the University of California in cooperation with the California State Department of Finance.

Compilation of the first volume was motivated by the recognized need for a concise, historical description of the administrative structure of the California state departments. The reception accorded that survey indicated that it fulfilled the author's purpose. It is hoped that this second volume, containing similar information for all state administrative agencies not included in the 1937 publication, will also be of value and assistance to those interested in the study of California state government.

SAMUEL C. MAY
Director, Bureau of Public Administration
University of California

Berkeley, California
September 20, 1939

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INTRODUCTION

Early in 1937 the Bureau of Public Administration of the University of California in cooperation with the State Department of Finance published a book entitled: California State Government, an Outline of Its Administrative Organization From 1850 to 1936. That publication described the historical development and current organization of the fourteen major state departments as of March 1, 1936. At that time it was realized that a survey of all the administrative agencies would be of value, but lack of funds precluded the undertaking of such an extensive project. A study of the independent agencies, therefore, was left for some future date.

This second volume now completes the outline. The independent commissions, boards, and offices not contained in the first volume are presented here. Also included is the Department of Employment, which was created after the completion of the earlier publication. All agencies have been described as of August 1, 1939.

The research again has been limited to the administrative organization of the agencies. Functions have been disregarded almost entirely. The outline form has been followed as before, so that the discussion of each unit is very brief.

The agencies have been arranged somewhat arbitrarily in a subject classification. This was a logical development from the arrangement in the first volume where the names of the departments themselves established a subject list; under Finance, or Public Works, for example, were combined many agencies which had operated previously as independent boards or commissions, even though their interests were related. In this volume, similarly, agencies acting in the same general field have been grouped together, as an aid to students who may wish to study the state government from a functional point of view.

No bibliography is appended to the volume. The sources of information include the California statutes, the annual or biennial and special reports of the agencies concerned, interviews with state officials, and letters from state offices. Direct quotations are followed immediately by references to the works from which they come, except in the case of quotations from statutes. If the agency was established by legislative act, the complete statutory citation appears in a footnote at the end of the paragraph. The legal provisions regulating most of the agencies have been compiled into special codes at the present time;

but in this study only the original creating act has been cited. Each agency was given the opportunity to correct the factual content of its section of the manuscript before publication.

It is hoped that this volume will prove useful as a reference aid to all those interested in the historical development or the present organization of the government of California.

GENERAL EXECUTIVE OFFICERS

Governor
Lieutenant Governor
Secretary of State

GOVERNOR

The Constitution of 1849 provided that the supreme executive power of this state should be vested in a chief magistrate, known as the Governor of the State of California. The Governor has thus been regarded from the beginning as the leading executive officer in the state government. His general powers and duties, qualifications, etc., are covered by article V of both the Constitutions of 1849 and 1879.

The original text set the term of office of the Governor at two years, with the statement that he should be elected at the time and places of voting for members of the Assembly. An amendment adopted September 3, 1862, changed the term of office to four years. This provision was included in the Constitution of 1879. The term begins with the first Monday after the first day of January subsequent to the election.

Schedule 1, section 15, of the Constitution of 1849 stipulated that the Governor's salary should be $10,000 per annum, until the Legislature should direct otherwise. Subsequently the compensation was diminished and increased several times by law. For example, the second Legislature reduced it to $6,000 in 1851. Ten years later it was raised to $7,000. A section of the Political Code of 1872 kept it at this level. The Constitution of 1879, however, set it at $6,000; the Legislature being permitted to reduce but not increase this amount, although not while a given incumbent was in office. Finally section 19 of article V was amended on November 3, 1908, and the salary was raised to a maximum of $10,000.

Since the first Legislature met, literally hundreds of laws have been passed which affect in one way or another the powers and duties of the Governor. To discuss them completely would require a separate volume. Throughout the years the Governor has served on innumerable boards, commissions, and committees; and he has been permitted or required to make innumerable appointments. The chief powers and duties, however, as listed in "Agencies of California State Government . . ." compiled by the Supervisor of Documents in 1934, are as follows: to transact all executive business with the civil and military officers of government; to make appointments to vacated offices as required by law; to convene the Legislature in extraordinary session; to receive reports from executive officers and to transmit them, when necessary, to the Legislature and the public; to exercise executive

clemency in the matters of reprieves, pardons and commutations; to act as commander-in-chief of the state militia; to approve or disapprove all bills passed by the Legislature. The Governor is also required to submit to the Legislature a budget of proposed expenditures and estimated revenues for the state government.

Serving in an advisory capacity as a clearing house of information in administrative matters, a council of executive officers assists the Governor. This body is discussed below.

Governor's Council

Section 359b was added to the Political Code in 1927. It created a Governor's Council, consisting of the Directors of Finance, Education, Public Works, Public Health, Institutions, Agriculture, Industrial Relations, Social Welfare, and Natural Resources. The Directors of Investment, Professional and Vocational Standards, Military and Veterans' Affairs, and Penology, were added in 1929 (ch. 372, p. 694). The council serves as a cabinet for the Governor, meeting monthly for the purpose of keeping him and the directors informed in regard to the administration of each department.

Stats. 1927, ch. 105, p. 196. Approved Apr. 12, 1927; in effect July 29, 1927.

LIEUTENANT GOVERNOR

The office of Lieutenant Governor is also a constitutional one, being provided for in article V of the Constitutions of 1849 and 1879. The Lieutenant Governor is elected at the same time and places and in the same manner as the Governor. His term of office and qualifications of eligibility are the same.

The salary of the Lieutenant Governor was originally set at double the pay of a State Senator by the Constitution of 1849. As in the case of the Governor, this compensation was changed subsequently many times, starting in 1851 when the Legislature made it $15 a day and the same mileage allowed members of the General Assembly. Section 19 of the Constitution of 1879 stated that it should be the same per diem as that provided by law for the Speaker of the Assembly. This was amended on November 3, 1908, and the salary was finally set at $4,000 per annum. The Legislature is allowed to diminish but not increase this sum, although not during the term for which a given incumbent has been elected.

If for any reason the office of Governor is vacated, the powers and duties of that office devolve upon the Lieutenant Governor. The latter officer is also the President of the Senate, although he casts a vote only in case of a tie. He has served in the past on various boards and commissions, including the Board of State Prison Commissioners, Board of Directors of the State Prison, commission to select a site for the California State Reformatory, Board of Trustees of the State Burial Grounds, commission to select a site for the Southern California Prison, and Washington Bicentennial Commission. He is at present a member of the Advisory Pardon Board, the California Toll Bridge Authority, and the State Lands Commission. He is chairman of the Reapportionment Commission, a body which was created by article IV, section 6, of the constitution as amended November 2, 1926. The Lieutenant Governor is also ex officio a Regent of the University of California. He serves at the present time, in addition, as a member of the Governor's Council.

SECRETARY OF STATE'S OFFICE

As Organized August 1, 1939

COLLECTION AGENCY LICENSE DIVISION

CORPORATION DEPARTMENT

CORPORATION LICENSE TAX DEPARTMENT

SECRETARY OF STATE

The office of Secretary of State was created by article V, section 18, of the Constitution of 1849. The original text stated that this officer was to be appointed by the Governor by and with the advice and consent of the Senate. An amendment adopted September 3, 1862 provided that the Secretary of State should be elected at the same time and places and in the same manner as the Governor and Lieutenant Governor, with the same term of office. These provisions were repeated in the Constitution of 1879. His duties, according to these documents, were to keep a correct record of the official acts of the legislative and executive branches of the government and to perform such other duties as might be assigned him by law.

In the Constitution of 1849 the salary of the Secretary of State was left to the Legislature, which, in 1850, set it at $7,000 a year. This is probably the highest point to which the salary of this officer has ever gone, although it see-sawed considerably in the following years. For example, in 1851 it was reduced to $3,500; by the time the Political Code was passed in 1872 $4,000 was the sum agreed upon; the Constitution of 1879 placed it at $3,000. The maximum salary now stands at $5,000, according to an amendment adopted November 3, 1908. This may be lowered by the Legislature, but not during the term of office for which a given officer has been elected.

The duties of the Secretary of State have been varied in scope, and, in some cases, peculiar in nature in view of the present important functions assigned to this office. The early reports are filled with lists of stationery, fuel, ink, etc. purchased and doled out to the legislators; with accounts of repairs to the Capitol and care of the grounds; with discussions of the tons of debris cleared out of the basement to make room for the public archives. Certain functions expanded to the point where special agencies had to be established to handle them. Some of these have been outlined in the first volume of this publication. They include the State Library, the Department of Motor Vehicles, and the Bureau of Buildings and Grounds. The Secretary of State was also vested with the office of State Sealer of Weights and Measures, but not very much was accomplished in this field until a Department of Weights and Measures was created in 1913.

The Secretary of State has also served as a member of several bodies which do not exist at the present time. Some of these were the State Board of Examiners, the Board of Capitol Commissioners, the

State Commission in Lunacy, the Board of Directors of the State Prison, and the State Board of Forestry.

After 1900 there was a general shift in emphasis in the duties of the Secretary of State. Activities relating to corporations and to elections assumed more and more importance. The former are discussed briefly below under *Corporation Department.* In connection with the latter, the work of the department increased so greatly after the passage of several election laws around 1911, that the biennial report for 1910-1912 carried a suggestion that a special Bureau of Elections be established in the office of the Secretary of State. This suggestion was not followed up, and there is at present no administrative subdivision for the performance of these duties. Related in interest to this part of the Secretary of State's work is the State Commission on Voting Machines, of which he is a member. This agency is described below, following a discussion of the subdivisions of the office.

The designation Department of State is often used in reports in referring to the Secretary of State's office, and this agency has, in fact, departmental organization. There are at present three subdivisions: the Corporation Department, the Corporation License Tax Department, and the Collection Agency License Division. The Keeper of the Archives is also attached to this department.

Collection Agency License Division

1927 An act to define collection agencies, and to provide for their regulation, bonding, supervision, and licensing was passed in 1927. Applications were to be filed with the Secretary of State, and license fees were to be collected by him. A Collection Agency License Division was established in the Department of State as a result.

Stats. 1927, ch. 485, p. 822. Approved May 14, 1927; in effect July 29, 1927.

1933 An amendment passed in 1933 created the position of Superintendent of Collection Agencies in the office of the Secretary of State. This officer was to conduct hearings on complaints, and to investigate violations of the law.

Stats. 1933, ch. 930, p. 2453. Approved June 14, 1933; in effect Aug. 21, 1933.

Corporation Department

1904 The Corporation Department is first mentioned as a specific department in the 1904-1906 biennial report of the Secretary of State. The first law relating to corporations was passed in 1850 (ch. 128, p. 347). This provided for the filing of articles of incorporation with the Secretary of State. As the population of

California grew and business developed, this duty gained in importance. After 1900 the work of filing, recording, and issuing certificates of incorporation increased enormously. The fees collected, for example, during the biennium 1904-1906 amounted to $384,365.10 as compared with $63,653.55 for the 1898-1900 biennial period.

Provision was made for a Corporation Secretary to assist the Secretary of State in the examination and filing of corporation papers, by the addition of section 415a to the Political Code in 1909. This was changed to section 414 in 1911. Section 414 was repealed in 1921.

Corporation License Tax Department

1905 A law passed in 1905 required the payment of an annual license fee by all corporations, both foreign and domestic, with educational, religious, etc. corporations exempted. The tax was to be collected by the Secretary of State. The Corporation License Tax Department was, accordingly, organized in his office.

Stats. 1905, ch. 386, p. 493. Approved and in effect Mar. 20, 1905.

1913 The law of 1905 and all later acts amending it were repealed in 1913.

Stats. 1913, ch. 336, p. 680. Approved June 10, 1913; in effect June 30, 1914.

1915 Another corporation license tax act was passed by the Legislature in 1915. The duties of the Secretary of State under this law were similar to those specified in the earlier act. The Corporation License Tax Department was maintained continuously as a subdivision in spite of the break in the existence of the tax law between 1914 and 1915. Between 1921 and 1925 Political Code section 412 listed among the employees in the office of the Secretary of State a superintendent and cashier of the Corporation License Tax Department.

Stats. 1915, ch. 190, p. 422. Approved May 10, 1915; some sections in effect Jan. 1, 1916, others 90 days after adjournment of the Legislature.

1927 Almost all the provisions of the corporation license law were repealed in 1927. The Corporation License Tax Department functioned for a few years subsequently, however, mainly to collect fees under section 14 which was not repealed.

Stats. 1927, ch. 221, p. 396. Approved Apr. 20, 1927; in effect July 29, 1927.

Corporation License Tax Exemption Board

1917 The Corporation License Tax Exemption Board was created in 1917 when the corporation license law was amended. The board was composed of the Secretary of State, State Controller, and members of the State Board of Control. Its function was to pass upon the claims of corporations to exemptions from the annual license tax.

Stats. 1917, ch. 215, p. 371. Approved and in effect May 11, 1917.

1923 Section 7 of the corporation license law, which created the Corporation License Tax Exemption Board, was repealed in 1923.

Stats. 1923, ch. 443, p. 1034. Approved June 20, 1923.

Keeper of the Archives

1850 The very first act passed by the Legislature of 1850 dealt with the public archives, and delegated to the Secretary of State the duty of obtaining and preserving such of them as pertained to the past administration of government in California.

Stats. 1850, ch. 1, p. 45. Passed and in effect Jan. 5, 1850.

1889 Occasional mention of the archives was made in the statutes from time to time, but the next important law concerning them was passed in 1889. This act reiterated that the Secretary of State was custodian of the archives, but provided for the appointment of a Keeper of the Archives to assist him in this work. The salary of this official was set at $2,000 per year. The act also provided for the building of a special vault in the basement of the Capitol in which to store the archives.

Stats. 1889, ch. 289, p. 451. Approved and in effect Mar. 25, 1889.

1939 The State Archives Act, passed in 1939, revised somewhat the act of 1889, but repeated the provisions mentioned above. No definite salary was provided for the Keeper of the Archives in this act.

Stats. 1939, ch. 823. Approved July 18, 1939; in effect Sept. 19, 1939.

Mailing and Distribution Department

Janitor's Department

188– Some time in the 1880's the designation Janitor's Department was adopted by the Secretary of State to cover the duties relating to distribution and storage of stationery, ballot paper, and reports of all kinds. This title was used until approximately 1912.

Mailing and Distribution Department

1912 In the 1912-1914 biennial report of the Secretary of State the name Mailing and Distribution Department appears in place of Janitor's Department. This subdivision is not mentioned in subsequent reports.

Registry Department

This department is first mentioned in the 1910-1912 biennial report of the Secretary of State. It is included in later reports until 1926.

Motor Vehicle Department

This department was established in the office of the Secretary of State in 1905. For a complete discussion, see *Department of Motor Vehicles* (v. 1, p. 140).

State Commission on Voting Machines

1903 A State Commission on Voting or Ballot Machines, consisting of the Governor, Secretary of State, and Attorney General, was created in 1903. The function of the commission was to pass upon any machines suggested for use in California elections, which might be submitted to it for examination. No machines could be used until they had been approved by the commission.

Stats. 1903, ch. 226, p. 262. Approved and in effect Mar. 20, 1903.

1921 The act of 1903 was repealed in 1921.

Stats. 1921, ch. 525, p. 828. Approved May 31, 1921; in effect July 30, 1921.

1923 The Governor, Secretary of State, and Attorney General were once more constituted the State Commission on Voting Machines.

Stats. 1923, ch. 96, p. 182. Approved May 3, 1923.

LAW ENFORCEMENT

Attorney General

ATTORNEY GENERAL

The office of Attorney General is a constitutional one. The Constitutions of 1849 and 1879 both prescribed that he should be elected at the same time and places and in the same manner as the Governor and Lieutenant Governor. The term of office was to be the same as that of the Governor.

The Constitution of 1849 directed the Legislature to set the salary of the Attorney General. As a result, there was an extraordinary variation in the compensation of this officer in subsequent years. It dropped from $7,000 in 1850 to $1,000 in 1851. By 1872, when the Political Code was passed, it had risen to $4,000. The Constitution of 1879 made it $3,000, with the proviso that this might be diminished by the Legislature, but not during the term for which a given incumbent had been elected. An amendment adopted November 3, 1908, changed it to $5,000. Finally another amendment adopted November 6, 1934, added section 21 to article V, providing that the Attorney General should receive the same salary as that prescribed by law for an associate justice of the Supreme Court. Section 19 was thereupon amended to read $6,000.

The duties of the Attorney General, briefly, are to attend the Supreme Court and prosecute or defend all cases to which the State of California is a party, and to institute suits in behalf of the state; to exercise supervisory powers over district attorneys and other enforcement officers; to assist district attorneys at times in the discharge of their duties; and to render opinions to state agencies and officers. He is, in short, the chief attorney and law officer of the state. His office is sometimes referred to as the Legal Department.

The Attorney General serves at present as a member of several commissions, and has served in the past on many others. These include the Board of Managers of the Bureau of Criminal Identification and Investigation, of which he is president, the Advisory Pardon Board, California Districts Securities Commission, Water Project Authority, Commission on Qualification of Judges, Reapportionment Commission, State Commission on Voting Machines, State Building Plans Commission, California School Code Commission, Arizona Boundary Commission, a commission on oil leases of state lands dedicated to a public use, Water Works District Bond Commission, Irrigation Bond Commission, San Francisco State Building Commission, State Board of Forestry, State Commission in Lunacy, State Board of Equalization, Board of Military Auditors, and State Board of Examiners.

STATE FINANCE AND TAXATION

Treasurer
Controller's Department
State Board of Equalization
Franchise Tax Commissioner

TREASURER

The office of Treasurer of the State of California was created by the Constitution of 1849. Provision was made for the election of this officer at the same time and places and in the same manner as the Governor. The term of office was also to be the same as that of the Governor. These provisions were repeated in the Constitution of 1879.

The salary of the Treasurer, according to the Constitution of 1849, was to be set by the Legislature. In consequence, legislative enactments in this regard were numerous. Compensation varied from $9,000 in 1850 to $3,000 in 1879, when the new constitution was adopted. An amendment added November 3, 1908, finally set it at $5,000, with the provision that the Legislature might diminish it, but not during the term for which a given incumbent had been elected.

The duties of the Treasurer have been more specifically limited to one field than have those, for example, of the Secretary of State. In general his duties are to receive and keep in custody the state's moneys and securities, to disburse the public moneys on warrants drawn by the Controller, and to administer the law relating to the sale of state bonds and the redemption and interest payments upon them. Checks and warrants covering all expenditures are cleared through the office; in fact, it is the official bank for the State of California. During the biennial period the Treasurer receives and disburses approximately $1,000,000,000.

The Treasurer has served, or serves at present, as a member of the Board of Capitol Commissioners, State Highway Finance Board, State Park Finance Board, San Francisco Harbor Bond Finance Board, State Building Finance Board, Veterans' Welfare Finance Committee, Unemployment Relief Finance Committee, and the Water Project Authority. The present incumbent is also a member of the State Mining Board.

The Treasury Department is not organized into specific administrative subdivisions. Inasmuch as the Treasurer's duties are more or less unified in character, his office operates as a whole in carrying them out. It is, however, divided into several accounting departments. These functional subdivisions include the Receiving Department, the Bond Deposit Department, the Vault Department, and the Warrant Department.

CONTROLLER'S DEPARTMENT

As Organized August 1, 1939

ADMINISTRATION

ACCOUNTING DIVISION

INHERITANCE TAX DIVISION

MOTOR VEHICLE FUEL TAX REFUND DIVISION

REDEMPTION TAX DIVISION

TAX COLLECTION DIVISION

UNEMPLOYMENT RELIEF DIVISION

1. Auditing Section
2. Disbursing Section
3. Investigating Section
4. Paymaster's Section

WARRANT DIVISION

CONTROLLER'S DEPARTMENT

The Controller's Department has functioned as a vital part of the California state government from the very beginning. The office of Controller (or Comptroller, as it was spelled at that time) was created by the Constitution of 1849, article V. It was provided that he should be elected at the same time and in the same manner as the Governor, for the same term of office. The Constitution of 1879 set his compensation at $5,000 per annum, with the provision that this salary might be diminished by the Legislature, but not during the term for which a given incumbent had been elected.

The first law concerning the duties of the Controller was passed in 1850 (ch. 4, p. 47; passed and in effect Jan. 19, 1850). These included such activities as making annual financial reports, keeping accounts of the state's dealings, settling claims, drawing warrants. Another duty was "to suggest plans for the improvement and management of the public revenues" (Pol. Code, section 433); and many of the early reports, in consequence, contain valuable descriptions of the state administration, with suggestions for the creation, abolition, or modification of certain agencies.

The law of 1850 was amended many times subsequently. These amendments and additional laws expanded the activities centered in this department, until now it is an agency with a high degree of organization. The varied duties assigned to the Controller are carried on by a general office designated Administration, in which are grouped the Controller, Deputy Controllers, and general office staff; and six subdivisions. Of these subdivisions the Inheritance Tax Department was created by law. The others were set up by administrative action, but usually as the result of specific laws.

Administration

Under the designation Administration are grouped the Controller, Deputy Controllers, and the general office staff. Specialized activities are administered by separate divisions, described below.

Accounting Division

The Accounting Division was set up as a separate unit on July 1, 1933.

Inheritance Tax Division

The Inheritance Tax Department was the first subdivision set up in the office of the Controller. It is the only one specifically created by law.

Inheritance Tax Deputy

1909 The first inheritance tax law in California was passed in 1893 (ch. 168, p. 193). This tax did not become an important source of revenue until 1905, however, when a new act with broader provisions was passed. In 1909 this act was amended to provide for the appointment by the Controller of an Inheritance Tax Deputy to assist in the administration and collection of the tax. In 1911 the Controller was authorized to appoint Inheritance Tax Appraisers in each county (ch. 395, p. 713). In his 1910-1912 biennial report the Controller referred to this subdivision of his department as the Inheritance Tax Department.

Stats. 1909, ch. 337, p. 557. Approved and in effect Mar. 20, 1909.

Inheritance Tax Department

1913 In 1913 the Legislature created the Inheritance Tax Department under the authority and direction of the Controller. The function of the new department was to supervise and assist in the administration of the inheritance or transfer tax laws of the state. Although it is still named Inheritance Tax Department in the law, it is ordinarily designated Inheritance Tax Division.

Stats. 1913, ch. 594, p. 1065. Approved June 16, 1913; in effect Aug. 10, 1913.

1939 In 1939 the Legislature added to the duties of this division. It passed the Gift Tax Act of 1939, and provided that it should be administered by the State Controller in connection with and as a part of the Inheritance Tax Division.

Stats. 1939, ch. 652. Approved and in effect June 21, 1939.

Motor Vehicle Fuel Tax Refund Division

This division, originally designated Gasoline Tax Department, was established in 1923. Its function should be distinguished from that of the Tax Collection Division, which collects, among other taxes, the motor vehicle fuel taxes and the motor transportation license taxes.

Gasoline Tax Department

1923 An act, generally known as the Gasoline Tax Act, was passed in 1923. It imposed a tax of two cents on every

gallon of motor vehicle fuel sold for use on the public highways of California. The tax was to be collected by the Controller and deposited in a "motor vehicle fuel fund." Half of the money was to be returned to the counties for road-building purposes, and half was to be used by the state in the maintenance of highways. The law was amended several times subsequently; the tax was raised to three cents, and the ratio of distribution to local governments was changed. A Gasoline Tax Department was established in the Controller's Department to perform the duties prescribed in section 11 of the act, relating to the refund of the tax to certain exempted consumers of gasoline.

Stats. 1923, ch. 267, p. 571. Approved May 30, 1923; in effect Sept. 30, 1923.

Motor Vehicle Fuel Tax Refund Division

1929 Section 439 of the Political Code was amended in 1929. The Controller was authorized to appoint a superintendent of the Motor Vehicle Fuel Tax Department. Exactly when this designation was adopted in place of the earlier Gasoline Tax Department is not known. In the 1930-1932 and subsequent reports of the Controller, however, this unit is called the Motor Vehicle Fuel Tax Refund Division.

Stats. 1929, ch. 511, p. 886. Approved May 27, 1929; in effect Aug. 14, 1929.

Redemption Tax Division

Delinquent Tax Department

1895 Before 1895 the Political Code provided for the sale of tax delinquent land at public auction by the Tax Collector. If no buyer appeared who would take the land and pay the costs due, it was then struck off to the state. In 1895 an act was passed which changed these provisions. Under the new law all delinquent property was immediately struck off to the state. Heavy penalties were attached to its redemption, and the redemption period was extended from one year to five years. New duties were imposed upon the Controller's Department by the working of this law.

Stats. 1895, ch. 11, p. 18. Approved and in effect Feb. 25, 1895.

1912 The subdivision organized to handle sales or redemptions of tax delinquent land was referred to in the 1912-1914 biennial report of the Controller as the Delinquent Tax Department, and in the 1914-1916 report as the Delinquent Tax Land Department.

Redemption Tax Division

1918 In the 1918-1920 biennial report this division was called the Redemption Department, and thereafter the Redemption Tax Department or Redemption Tax Division.

1937 The existence of this division was recognized by legislative act in 1937, when a Political Code section was amended to read as follows: "Out of any money in the tax deeded land rental fund, there is hereby appropriated to the State Controller to be expended by him such sums as may be necessary for the support of the Redemption Tax Department, Controller's office . . ."

Stats. 1937, ch. 763, p. 2180. Approved and in effect June 29, 1937.

Sales Tax Division

The Sales Tax Division operated in the Controller's Department for only four years. It was abolished in 1937.

1933 The California Retail Sales Tax Act was passed in 1933. Section 25 provided that the Controller was to keep a record of all assessments made by the State Board of Equalization under the act. The Sales Tax Division was set up in his department as a result.

Stats. 1933, ch. 1020, p. 2599. Approved and in effect July 31, 1933.

1937 A 1937 amendment to the sales tax act transferred to the State Board of Equalization all property, records, and employees relating to the record of assessments maintained by the Controller pursuant to section 25. This division in the Controller's office was, accordingly, abolished.

Stats. 1937, ch. 778, p. 2222. Approved and in effect July 1, 1937.

Tax Collection Division

The Tax Collection Division has a complicated history. It is possible to segregate the lines of its development into three units, however; and this has been done, even though the interrelations among the subdivisions at times make it artificial to distinguish sharply between them. These units have been designated Franchise Tax Division, Tax Collection Division, and Motor Transportation License Tax Division.

Besides certain other duties, the Tax Collection Division at the present time collects insurance company taxes based on gross premiums written in California, petroleum and gas charges based on production

of oil and gas in California, motor vehicle fuel taxes based on sale of motor vehicle fuel sold in California, alcohol beverage control taxes based on sale of wine and beer in California, and transportation taxes based on gross receipts received by transportation companies from the operation of trucks for hire on public highways of the state.

Franchise Tax Division

Corporation Tax Collection Department

1911 A constitutional amendment passed in November, 1910, revised the whole revenue system of the state. Prior to that time revenues had been derived mainly from general property taxes, a source which was shared by both state and local governments. The effect of the amendment, however, was to separate state from local taxation. The right to levy a tax on corporations was reserved to the state, and this tax became its greatest source of income. In 1911 the Legislature passed an act to carry into effect the provisions of the amendment. To the Controller was allocated the duty of collecting the taxes, and, as a result, the Corporation Tax Collection Department was organized in his department.

Stats. 1911, ch. 335, p. 530. Approved and in effect Apr. 1, 1911.

Franchise Tax Division

1920 By 1920 this division seems to have been called Franchise Tax Department, and later Franchise Tax Division.

1929 When the Bank and Corporation Franchise Tax Act was passed in 1929, most of the duties carried on by the Franchise Tax Division of the Controller's Department were transferred to the Franchise Tax Commissioner. The Franchise Tax Division was maintained in existence, however, to perform certain functions assigned to the Controller under the terms of the act. The division was finally abolished in 1937. For a more complete discussion, see *Franchise Tax Commissioner—Franchise Tax Division* (p. 41).

Motor Transportation License Tax Division

Franchise Tax Division

1923 The first motor vehicle license tax act was passed in 1923. The motor bus and truck taxes, as they were

commonly known, were handled by a section within the Franchise Tax Division. For the complete history of the legislation relating to these taxes, see *State Board of Equalization—Motor Vehicle Transportation Tax Division* (p. 36).

Motor Transportation License Tax Division

1933 In 1933 the current Motor Vehicle Transportation License Tax Act was passed. A new division was created in the Controller's Department in June of that year to handle collections on assessments levied by the State Board of Equalization.

1937 The act was amended in 1937, providing for a self-assessed tax reported monthly on forms filed with the State Board of Equalization. Remittance covering the assessment was to accompany the report, which payment was then to be transmitted to the Controller. After the amendment was passed, the Motor Transportation License Tax Division was abolished as a separate unit, and the duties remaining to the Controller were placed in the Tax Collection Division.

Tax Collection Division

1929 After the collection of taxes from corporations subject to the Bank and Corporation Franchise Tax Act was turned over to the Franchise Tax Commissioner in 1929, the Controller continued to collect the taxes levied by the State Board of Equalization against public service corporations and insurance companies. This was done by the Tax Collection Division. In 1934 the operative property of public service corporations was returned to the various counties of the state for taxation purposes. Insurance company taxes still remained under the jurisdiction of the Tax Collection Division, however, as well as a variety of other taxes added at different times. The complete list of taxes collected by this division is given in the introductory paragraph above.

Unemployment Relief Division

This division discharges important functions in connection with the expenditure of relief funds in the state. There have been two distinct phases in its development. After it entered the second phase in 1936, its operations expanded greatly and subdivisions, now four in number, were created to handle them.

Disbursing Division, S.R.A.

1933 Unemployment relief necessitated the organization of a new division in the Controller's Department. From January, 1933, to June, 1936, the Disbursing Division, S.R.A., existed to handle the Federal Emergency Relief Fund. After this temporary or emergency period, however, a change was made in the administration of relief expenditures and the division in the Controller's Department was organized on a more permanent basis.

Unemployment Relief Division

1936 With the withdrawal of federal funds at the advent of the Works Progress Administration, the State of California undertook to finance direct relief completely through appropriations by the Legislature. Therefore, effective July 1, 1936, a more permanent Unemployment Relief Division was established in the Controller's Department to handle his functions in this field. Since that time, the increasing volume of work resulting from these activities has resulted in the establishment of four subdivisions in this division.

1. AUDITING SECTION.

This section audits all relief budgets and preaudits all direct relief claims. It has offices in San Francisco and Los Angeles operating in close contact with the Accounting Division of the State Relief Administration. An additional auditing staff in Sacramento audits all SRA administrative payroll, travel, and purchase claims.

2. DISBURSING SECTION.

This section writes all direct relief warrants. Its San Francisco and Los Angeles offices are so organized and coordinated that predetermined and regular pay dates are met each month on a very extensive schedule. A disbursing staff also cooperates with the regular Controller's Disbursing Division in Sacramento in the issuance of state warrants in payment of SRA administrative, travel, and purchase claims.

3. INVESTIGATING SECTION.

This section, working closely with the field staff of the SRA, investigates all reports of overpayment, sets up accounts receivable representing the obligations of ineligible relief recipients to reimburse the state, arranges for reim-

bursement on an installment basis if necessary, and maintains a continuous contact with all defaulters until full restitution has been made.

4. PAYMASTER'S SECTION.

This section controls the distribution of all direct relief warrants, either through the method of spot pay or by mail. It is the opinion of the Controller's Department that spot paying has created a contact with SRA relief clients that has not only been the means of eliminating employed persons from the relief rolls, but has also resulted in increased efficiency of the SRA field staff.

Warrant Division

This division, as a separate unit in the Controller's Department, has developed only in the last few years. A change in the method of issuing warrants was made in 1933, and this, together with the increase in state business, has caused the production of warrants to jump from approximately 30,000 to 1,250,000 annually. The division is administered by a Deputy Controller.

Warrant Registrar

1908 The position of Warrant Registrar was probably established about 1908. The first reference to it is in the 1908-1910 report of the Controller. It was abolished in 1925, the duties of the registrar being transferred at that time to a deputy controller.

Warrant Division

1933 A sum of money for the purchase and installation of warrant equipment in the Controller's office was appropriated in 1933. The equipment was necessary in order to make it possible for him to prepare individual warrants for all claims against the state. Previously, large departmental warrants had been drawn in favor of boards, departments, and other agencies, and deposited in banks, from which funds were disbursed by each agency through checks or drafts. A later act passed the same year (ch. 605, p. 1547) provided for a method of registering and paying warrants by the Controller.

Stats. 1933, ch. 13, p. 38. Approved and in effect Feb. 3, 1933.

STATE BOARD OF EQUALIZATION

As Organized August 1, 1939

GENERAL ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL DIVISION

DIVISION OF ASSESSMENT STANDARDS

MOTOR VEHICLE TRANSPORTATION TAX DIVISION

MOTOR VEHICLE FUEL TAX DIVISION

DIVISION OF RESEARCH AND STATISTICS

RETAIL SALES TAX DIVISION

VALUATION DIVISION

STATE BOARD OF EQUALIZATION

The State Board of Equalization plays an important role in the state government as the agency responsible for the general administration of tax laws. It was created originally, in 1870, to equalize assessments in the various counties, and to investigate methods of assessment and collection. Since that time, however, the whole structure of our tax system has been changed, and the functions of the board have been modified accordingly. It is now charged with the assessing or collecting of certain specific taxes, and with various other duties such as liquor control. To carry on these functions, the board has established administrative divisions from time to time. The historical development of the board is outlined below, followed by a description of each of the subdivisions.

1870 A State Board of Equalization was created in 1870. It was to consist of the Controller and two members appointed by the Governor for a term of four years. The appointed members might be removed by the Governor at any time. They were to receive an annual salary of $3,000. The Political Code of 1872 provided that the membership should consist of the Controller, serving ex officio, and two members appointed by and holding office at the pleasure of the Governor. The salaries of the appointed members were set at $3,600 a year, and of the ex officio member at $1,200.

Stats. 1869-1870, ch. 489, p. 714. Approved Apr. 4, 1870; in effect July 1, 1870.

1876 The code sections relating to the State Board of Equalization were amended in 1876. It was now provided that the board should be composed of the Governor, Controller, and Attorney General. The salary provision was repealed.

Code amendments 1875-1876, ch. 577, p. 11. Approved and in effect Apr. 1, 1876.

1879 In January, 1874, the Supreme Court declared Section 3696 of the Political Code to be unconstitutional. It held that the power to change the valuation set by the County Assessor could not be delegated to the State Board of Equalization because article XI, section 13 of the constitution specifically stated that such valuation must be made by locally elected assessors. The board's greatest power was removed by this

decision, and it was for a while an agency of little importance.

The Constitution of 1879, however, provided for a new Equalization Board, consisting of one member elected from each congressional district of the state, with a term of office of four years, and the Controller. An amendment adopted November 4, 1884, gave the Legislature power to redistrict the state into four districts, and to provide for the elections of members of the board.

Const. 1879, article XIII, sec. 9.

1880 The Code amendments of 1880 repeated the constitutional provisions. In 1911 an amendment (ch. 748, p. 1458) specified that one member should be elected from each of the equalization districts instead of the congressional districts of the state. The salary of the elected members was set at $3,000. This was raised to $4,000 in 1909 (ch. 246, p. 372), and to $5,000 in 1937 (ch. 928, p. 2555).

Code amendments 1880, ch. 40, p. 25. Approved and in effect Apr. 3, 1880.

General Administration

The general administrative functions of the State Board of Equalization are under the supervision of the Executive Secretary. He coordinates and supervises administrative and legal activities, including such functions as public relations, employment of personnel, accounting, and office management.

Alcoholic Beverage Control Division

The State Board of Equalization is authorized by the constitution to license the manufacture, importation, and sale of intoxicating liquors in California. This power is given to it by section 22 of article XX, as amended on November 6, 1934. Various liquor control and excise tax acts, in addition, have been passed by the Legislature, defining the duties of the board in this field.

Beverage Tax Division

1933 An act to levy an excise tax and to regulate the manufacture, distribution, and sale of beverages containing not less than one-half of one per cent and not more than three and two-tenths per cent of alcohol, was passed in 1933. The State Board of Equalization was required to issue licenses and to assess the tax, which was to be collected by the Con-

troller. The Beverage Tax Division was set up to administer the act.

Stats. 1933, ch. 178, p. 625. Approved and in effect Apr. 27, 1933.

1935 The Beverage Tax Act was repealed in 1935 by the Alcoholic Beverage Control Act. See discussion below.

Alcoholic Beverage Control Division

1933 The "State Liquor Control Act" was passed in 1933. Its purpose was to control, license, and regulate the manufacture, transportation, sale, purchase, and disposition of wine, beer, and intoxicating liquor. It did not levy an excise tax, as did the Beverage Tax Act passed earlier the same year; but it specified what types of licenses should be issued and what fees should be charged for them. The State Board of Equalization was directed to administer and enforce the law, and was authorized to appoint additional employees to carry out the provisions. The Alcoholic Beverage Control Division was established for this purpose.

Stats. 1933, ch. 658, p. 1697. Approved June 3, 1933; in effect when it should become lawful under the U. S. Constitution to manufacture intoxicating liquors.

1935 The beverage tax and liquor control acts were repealed in 1935 by the Alcoholic Beverage Control Act. This act combined and clarified the earlier laws. The administration of the act remained in the hands of the State Board of Equalization, and the collection of the new excise tax on sales of distilled spirits was handled by this body. The preparation of the assessment rolls for the collection of excise taxes on the sale of beer and wine was also made a duty of the board. The State Controller was charged with the collection of taxes upon these assessment rolls. The Alcoholic Beverage Control Division continued to function, and added to its duties those of the Beverage Tax Division.

Stats. 1935, ch. 330, p. 1123. Approved and in effect June 13, 1935.

Division of Assessment Standards

A Division of Assessment Standards was created by the State Board of Equalization on August 1, 1938. The functions of the Adviser to Assessors and the work of inter-county equalization, formerly handled by the Valuation Division, were transferred to the new division.

Motor Vehicle Transportation Tax Division

1923 In 1923 the first act imposing a tax on gross receipts from operation of motor vehicles was passed. This law required all operators (with certain exceptions) of motor vehicles used to transport persons or property for hire, to pay a license fee of four per cent on their gross receipts. Licenses were to be issued and the tax assessed by the State Board of Equalization. Collections were to be made by the Controller. In 1925 this law was replaced by an act (ch. 412, p. 833) with very similar provisions; and in 1927 the act of 1925 was itself repealed (ch. 843, p. 1708). A new division, designated Motor Transportation Tax Division, was set up by the board to administer the functions assigned to it by these acts.

Stats. 1923, ch. 341, p. 706. Approved June 13, 1923; in effect Jan. 1, 1924.

1927 In the meantime, in 1926, a constitutional amendment relating to this subject was passed. Section 15 was added to article XIII on November 2, 1926. It provided for a tax on gross receipts of companies operating motor vehicles as common carriers for compensation between fixed termini over a regular route. An act passed in 1927 carried into effect the provisions of this amendment. As in the previous acts, the State Board of Equalization assessed the tax, and the Controller collected it.

Stats. 1927, ch. 19, p. 17. Approved and in effect Mar. 5, 1927.

1933 The constitution was again amended in 1933, and the section concerning motor vehicle carriers was eliminated. In the same year the Motor Vehicle Transportation License Tax Act, which is still in operation, was passed. The license tax was set this time at three per cent of the gross receipts of all motor vehicles used to transport persons or property for compensation or hire over the public highways of the state. It was provided once more that the State Board of Equalization should enforce the provisions of the act; and this body was authorized to appoint accountants, auditors, investigators, and other employees necessary to administer the law.

For the relationship of the Controller's Department to the State Board of Equalization in connection with this tax, see *Tax Collection Division* (p. 26).

Stats. 1933, ch. 339, p. 928. Approved and in effect May 15, 1933.

Motor Vehicle Fuel Tax Division

1923 The Gasoline Tax Act (or Motor Vehicle Fuel License Tax Act, as it is now called) was passed in 1923. It has been amended

every biennium since then, but the administrative arrangements are in essence unchanged. The law imposed a tax of two cents (now three cents) on every gallon of motor vehicle fuel sold for use on the public highways of California. Licenses are issued to distributors, and the tax due from each one is computed, by the State Board of Equalization; the tax is collected by the Controller. The Motor Vehicle Fuel Tax Division administers the board's functions under the act. It is also charged with the administration of the Use Fuel Tax Act of 1937 (ch. 352, p. 763).

Stats. 1923, ch. 267, p. 571. Approved May 30, 1923; in effect Sept. 30, 1923.

Division of Research and Statistics

Several times in the past a need for an extended survey of the tax system of California has been felt by those in authority in the state government. To satisfy this need there have been created at intervals certain committees or commissions, whose existence has been of brief duration. Although these bodies did not lead directly to the creation of the Division of Research and Statistics in the State Board of Equalization, they are discussed here because of the similarity of their purpose and function, and because they did point the way to the work carried on by the division. Strictly legislative committees have not been included.

Commission on Revenue and Taxation

1905 The Legislature created, in 1905, a commission whose purpose was the revision and reform of the system of revenue and taxation in force in California. The commission was to consist of a joint committee of the Senate and Assembly, and an expert in taxation and finance appointed by the Governor. The Governor also was to serve on the committee ex officio, and was to act as chairman.

Stats. 1905, ch. 334, p. 390. Approved and in effect Mar. 20, 1905.

1909 In 1909 the membership of the commission was reduced to two persons appointed by the Governor, and the Governor himself, who remained ex officio chairman. The result of the studies and recommendations of the Commission on Revenue and Taxation was a complete change in the whole tax system of California, brought about by the passage of a constitutional amendment in November, 1910. The commission did not function after 1910.

Stats. 1909, ch. 446, p. 779. Approved and in effect Mar. 25, 1909.

State Tax Commission

1915 In 1915 an act was passed which authorized the Governor to appoint experts or other assistants to investigate the system of revenue and taxation in use in California and other states. A report containing findings and recommendations was to be made to the Legislature in January, 1917. The commission appointed by the Governor in consequence of this act has always been referred to as the State Tax Commission.

Stats. 1915, ch. 194, p. 432. Approved May 10, 1915; in effect Aug. 8, 1915.

California Tax Commission

1927 The California Tax Commission was created in 1927. The act creating it is very similar to the previous ones establishing investigative commissions. The Governor was to appoint experts to study systems of revenue and taxation in this and other states. A report was to be rendered to the Legislature in 1929. After the final report was submitted in 1929, a Joint Legislative Committee on Taxation was created to analyze the recommendations and to submit a further report in 1931.

Stats. 1927, ch. 455, p. 781. Approved May 12, 1927; in effect July 29, 1927.

Tax Research Bureau

1931 Suggestions for the creation of a permanent research agency in the field of taxation came from various sources within a year or so after the final report of the California Tax Commission. In September, 1930, the County Assessor's Association of California passed a resolution recommending the establishment of such an agency to collect facts relating to local taxation laws and local assessment procedure; the State Board of Equalization, in its biennial report for 1929-1930, seconded the recommendation; the Governor spoke for a permanent, non-political, fact-finding bureau to study tax problems, in his inaugural address on January 6, 1931; and the Joint Legislative Committee on Taxation, mentioned above, recommended in its report of January 23, 1931, that a research department be created within the State Board of Equalization. As a result of these suggestions, a Tax Research Bureau was established in 1931 in the office of the State Board of Equalization, under the joint

supervision of the Governor, Director of Finance, and members of the board.

Stats. 1931, ch. 623, p. 1348. Approved June 5, 1931; in effect Aug. 14, 1931.

1933 The act creating the Tax Research Bureau was repealed in 1933.

Stats. 1933, ch. 954, p. 2482. Approved June 15, 1933; in effect Aug. 21, 1933.

Division of Research and Statistics

1938 After the abolition of the Tax Research Bureau, some tax investigative work was continued by a member of the staff of the State Board of Equalization, who served with the title of Research Consultant. On August 1, 1938, a Division of Research and Statistics was established to carry on this work, and to provide permanent machinery for coordinating the statistical data compiled by the other divisions of the board. Members of the staff of this division also handle the assessment of insurance taxes on the basis of information furnished by the Insurance Commissioner. This work is done under the direct supervision of the Executive Secretary.

Retail Sales Tax Division

The operations of the Retail Sales Tax Division constitute the largest single activity of the State Board of Equalization. The division was established in 1933.

1933 The California Retail Sales Tax Act was passed in 1933. The State Board of Equalization was charged with the enforcement of the act, and was empowered to appoint such accountants, auditors, investigators, and assistants as were necessary to administer it. A new division, designated Retail Sales Tax Division, was, accordingly, established by the board. The administration of the Use Tax Act of 1935 (ch. 361, p. 1297) was assigned to this division two years later.

Stats. 1933, ch. 1020, p. 2599. Approved and in effect July 31, 1933.

1937 Under the terms of the act of 1933, the State Controller was assigned certain duties. In particular, section 25 provided that he should keep a record of all assessments made by the State Board of Equalization under the act. The Sales Tax Division was set up in his department as a result.

A 1937 amendment to the aet, however, transferred to the board all property, reeords, and employees relating to the reeord of assessments maintained by the Controller pursuant to seetion 25. The division in the Controller's office was, in eonsequenee, abolished; and new funetions were assumed by the Retail Sales Tax Division of the State Board of Equalization.

Stats. 1937, ch. 778, p. 2222. Approved and in effect July 1, 1937.

Valuation Division

1933 A eonstitutional amendment affeeting seetion 14 of artiele XIII was adopted by the people on June 27, 1933. Under this amendment the State Board of Equalization was required to assess public utility property annually at its aetual value. The Legislature then passed a law defining the powers of the board under the amendment, and authorized the appointment of such assistants as were neeessary to earry out the provisions of the aet. A Valuation Division, therefore, was established by the board in November, 1933.

Stats. 1933, ch. 1045, p. 2687. Approved Aug. 22, 1933; in effect Oct. 25, 1933.

FRANCHISE TAX COMMISSIONER

The Bank and Corporation Franchise Tax Act was passed in 1929 (ch. 13, p. 19; approved and in effect Mar. 1, 1929). It changed completely the method of taxing banks and corporations. The position of Franchise Tax Commissioner was created to administer the act, and to him was given the authority to make all rules and regulations necessary to carry out its provisions. The Director of Finance, the Controller, and the chairman of the State Board of Equalization were to appoint the Franchise Tax Commissioner and to prescribe his term of office and his compensation.

The work of the Franchise Tax Commissioner's office is not segregated into specific administrative divisions; although functional units, as accounting and statistical departments, are recognized. For auditing and mailing purposes, the designations "Income Tax Division" and "Franchise Tax Division" are used. Despite the fact that these terms do not indicate distinct administrative divisions, they are employed here as a convenient form of segregating certain laws relating to the duties of the commissioner.

Franchise Tax Division

1929 The audit of franchise tax returns and field offices for the franchise tax are maintained separately from those of the personal income tax. The functions performed by these offices are prescribed by the act of 1929.

1937 Under the terms of the act, as passed in 1929, certain duties were also assigned to the Controller's Department. These duties were transferred to the Franchise Tax Commissioner in 1937, thus enlarging the activities of the Franchise Tax Division. Section 31 gave to the Franchise Tax Commissioner, instead of to the Controller as formerly, the duty of collecting delinquent taxes assessed under the act. Section 33 authorized the commissioner to issue certificates of revivor to suspended corporations, and provided that records, equipment, etc. of the Controller for use in performing the duties pursuant to this section should be transferred to the commissioner.

Stats. 1937, ch. 836, p. 2324. Approved July 1, 1937; in effect Aug. 27, 1937.

1937 In 1937, also, the Corporation Income Tax Act was added to supplement the franchise tax act. The new law imposed a tax on the net income of corporations which is derived from California and is not included in the measure of the franchise tax. In 1939 (ch. 1049) this tax was extended to apply also to associations and Massachusetts or business trusts, and the special tax on the latter, established in 1933, was repealed. The Franchise Tax Division is in charge of the audits and investigations under the Corporation Income Tax Act.

Stats. 1937, ch. 765, p. 2184. Approved July 1, 1937; in effect Aug. 27, 1937.

Income Tax Division

1935 "The Personal Income Tax Act of 1935" added to the duties of the Franchise Tax Commissioner that of collecting the taxes levied on incomes. As in the case of the franchise tax, the audit of personal income tax returns and field offices for the income tax are maintained separately from those of the franchise tax. The designation Income Tax Division is used to indicate this.

Stats. 1935, ch. 329, p. 1090. Approved and in effect June 13, 1935.

STATE PERSONNEL

State Personnel Board

State Employees' Retirement System

STATE PERSONNEL BOARD

A civil service system for the State of California was established in 1913. The administration of the system was entrusted first to a State Civil Service Commission, then to various other agencies, until a State Personnel Board was created by constitutional amendment in 1934. The board functions without administrative subdivisions, although, for accounting purposes, functional divisions are designated Board, Administration, Testing and Recruiting, and Classification and Certification.

State Civil Service Commission

1913 A law passed in 1913 established a State Civil Service Commission of three members, to be appointed by the Governor for a term of four years. Any commissioner might be removed by concurrent resolution of the Senate and Assembly, adopted by a two-thirds vote of each house. A salary of $3,000 per annum was provided for each commissioner. The provisions relating to appointment, removal, and term of office of commissioners were unchanged by later amendments to the law, until 1934.

Stats. 1913, ch. 590, p. 1035. Approved June 16, 1913; in effect Aug. 10, 1913.

1921 The Civil Service Commission was reorganized in 1921. One member was designated as executive member and ex officio president, and upon him devolved the principal administrative functions of the commission. The two others were designated as associate members, and served with the executive member only in enacting rules, classifying and exempting places of employment, and passing on dismissals from the public service. Salaries were changed to $4,000 for the executive member and a limit of $500 for the associate members.

Stats. 1921, ch. 601, p. 1020. Approved May 31, 1921; in effect July 30, 1921.

1925 The commission was again reorganized in 1925. The two associate members were eliminated; provision being made for only one commissioner. His salary was raised to $5,000.

Stats. 1925, ch. 236, p. 391. Approved May 19, 1925.

1927 The provisions of the law passed in 1921 which related to the State Civil Service Commission were reenacted in 1927. The commission was once more established in its three-member form, with one executive member and two associate members. The salary of the executive member remained at $5,000; that of associate members was set at $10 per day while engaged in the performance of official duties, not to exceed $500 per year. Members were to receive traveling expenses also.

Stats. 1927, ch. 43, p. 75. Approved Apr. 4, 1927; in effect July 29, 1927.

Department of Finance. Division of Personnel and Organization

1929 In 1929 the powers and duties of the State Civil Service Commission were transferred to the Department of Finance, in which a new Division of Personnel and Organization was established. The position of chief of the Division of Personnel and Organization was also created. This officer was to be appointed by the State Civil Service Commission with the approval of the Director of Finance, and was to perform all the duties previously imposed upon the executive member of the commission. The commission itself was retained in the department as a quasi-legislative and quasi-judicial body. Compensation of members was changed (ch. 136, p. 251) to $15 a day while performing official duties, and traveling expenses.

Stats. 1929, ch. 293, p. 597. Approved May 14, 1929; in effect Aug. 14, 1929.

State Personnel Board

1934 An initiative measure approved by the voters in 1934 created the State Personnel Board to administer the state civil service system. The measure provided that the powers and duties vested in any state officer or agency under any law relating to the state civil service should be transferred to the new board, thereby abolishing the Division of Personnel and Organization. The board was to consist of five members, appointed by the Governor with the advice and consent of the Senate for a term of ten years. It was provided, however, that in the beginning the Director of Finance, the Legislative Counsel, and the Controller should serve as ex officio members with specifically designated terms of office, and that the Governor should appoint only two members. An appointed member of the board might be removed by a two-thirds vote of each house of the Legislature. Compensa-

tion of members remained the same as that of members of the earlier Civil Service Commission. The board was authorized to appoint an executive officer who should be a member of the state civil service, but not a member of the board.

Const. 1879, article XXIV, added 1934. Initiative measure passed Nov. 6, 1934; in effect Dec. 20, 1934.

STATE EMPLOYEES' RETIREMENT SYSTEM

The problem of pensions for public employees is not a new one, but the establishment of a general retirement system for state employees in California is quite recent. Laws relating to the retirement of certain county officials and of teachers were passed many years before a constitutional amendment adopted by the people in 1930 approved the policy of setting up a system for the great majority of state employees. The amendment itself resulted from recommendations made after a thorough study of the question by a special commission created in 1927.

Commission on Pensions of State Employees

1927 A commission to inquire into the subject of retirement pensions, allowances, and annuities for state officers and employees, was created in 1927. It was to consist of the "commissioner of the state department of civil service, ex officio", and four members appointed by the Governor. No compensation other than expenses incurred in the discharge of their official duties was allowed the members. The commission was to make its report by July 1, 1928.

Stats. 1927, ch. 431, p. 714. Approved May 10, 1927; in effect July 29, 1927.

State Employees' Retirement System Board of Administration

1931 After the Commission on Pensions of State Employees made its report and recommendations, an amendment adding section 22a to article IV of the constitution was prepared. This was adopted on November 4, 1930. It empowered the Legislature to provide for the payment of retirement salaries to state employees.

An act to establish the retirement system was passed, accordingly, the following year. A Board of Administration was created to manage it. The board was to consist of the president of the Civil Service Commission, the Director of Finance, three members elected from the active members of the retirement system, and an official of a life insurance company and an officer of a bank appointed by the Governor. Members were to serve for staggered terms of four years. They were to serve without compensation, but were

to be reimbursed for actual and necessary expenses incurred through service on the board.

Stats. 1931, ch. 700, p. 1442. Approved June 9, 1931; in effect Aug. 14, 1931.

1935 When the State Personnel Board was established in place of the Civil Service Commission to administer the state civil service system, it was necessary to amend the retirement law to change the membership of the Board of Administration. This was done in 1935. Provision was made for a member of the State Personnel Board, other than the Director of Finance, to take the place of the president of the Civil Service Commission. This member of the Board of Administration was to be selected by and to serve at the pleasure of the State Personnel Board.

Stats. 1935, ch. 152, p. 783. Approved May 7, 1935; in effect Sept. 15, 1935.

1938 The retirement act was amended again in 1938. Provision was made for the inclusion of the comptroller of the University of California, or such other official as the university might designate, in the membership of the Board of Administration.

Stats. 1938, ch. 12, p. 67. Approved Mar. 30, 1938; in effect June 11, 1938.

1939 In 1939 the Legislature broadened the scope of the State Employees' Retirement Law by providing that it should cover, in addition to state employees, the employees of "such cities, school districts, and counties as may elect to include their employees pursuant to contract with the Board of Administration of such system."

Stats. 1939, ch. 954. Approved July 24, 1939.

EMPLOYMENT AND UNEMPLOYMENT RELIEF

Department of Employment
State Relief Administration

DEPARTMENT OF EMPLOYMENT

As Organized August 1, 1939

DIVISION OF STATE EMPLOYMENT AGENCIES

STATE ADVISORY COUNCIL

DIVISION OF UNEMPLOYMENT COMPENSATION

1. Accounting Section
2. Auditing Section
3. Cashiering Section
4. Compensation Section
5. Hollerith Section
6. Index and Registration Control Section

EXECUTIVE DIVISION

1. Appeals Bureau
2. Personnel Section
3. Public Relations Section
4. Research and Statistics Section
5. Rules and Regulations Section

DEPARTMENT OF EMPLOYMENT

The Department of Employment was created by the Unemployment Reserves Act of 1935 (ch. 352, p. 1226; approved June 25, 1935, in effect Sept. 15, 1935). The law was passed "as a part of a National plan of unemployment reserves and social security, and for the purpose of assisting in the stabilization of unemployment conditions." The new department was, in essence, a combination of the well-established state function of placing workers in positions through public employment agencies, and the new activity of administering unemployment insurance.

An Unemployment Reserves Commission was also created by the act to administer the department. The name was changed in 1939 (Stats. 1939, ch. 1089) to California Employment Commission. The commission was to consist of five members appointed by the Governor for staggered terms of four years. In order to take care of all the interests involved, the law provided that two commissioners should represent labor; one should represent the large employers of the state; one, the independent merchants and small employers; and the fifth commissioner should be representative of the state and general public. Members were to receive traveling expenses and $10 for each day actually devoted to the performance of their duties, but compensation for each one was not to exceed $1,200 per year.

The commission was authorized to appoint an executive officer who should be the Director of the Department of Employment. He was to act also as the secretary of the commission.

The Department of Employment is organized into two main divisions, and several service sections which may be regarded as subdivisions of the Executive Division. These are discussed below.

Division of State Employment Agencies

This division was transferred intact from the Department of Industrial Relations to the new Department of Employment in 1936. The division does not represent a new function in the state government, for it had operated as a recognized unit in California for several years. The complete history follows.

Bureau of Labor Statistics. State Free Employment Bureaus.

1915 The first public employment bureau in California was established in San Francisco in 1868. The state entered the

picture in 1870, when the Legislature passed an act for the relief and support of the California Labor and Employment Exchange, appropriating $500 a month for a period of two years for the venture (Stats. 1869-1870, ch. 389, p. 543). Nothing more was done in this field until Commissioner Fitzgerald of the Bureau of Labor Statistics started free employment offices on his own initiative on July 15, 1895. This Free Employment Department functioned until June, 1897. Another long period of inaction followed. Finally, in 1915, a law was passed which authorized the Commissioner of the Bureau of Labor Statistics to establish free employment bureaus in the cities of San Francisco, Los Angeles, Oakland, and Sacramento, and in other cities thereafter whenever he considered it necessary. The first offices were opened on February 1, 1916.

Stats. 1915, ch. 302, p. 486. Approved May 17, 1915; in effect Aug. 8, 1915.

Department of Industrial Relations. Division of State Employment Agencies.

1927 When the Department of Industrial Relations was established in 1927, the subdivision of the Bureau of Labor Statistics which had administered the state free employment bureaus became a separate Division of State Employment Agencies.

Stats. 1927, ch. 440, p. 733. Approved May 12, 1927; in effect July 29, 1927.

California Employment Service

1935 In 1935 the State of California accepted the provisions of the federal act entitled: "An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes". The Division of State Employment Agencies of the Department of Industrial Relations was the agency designated to cooperate with the United States Employment Service in carrying out the terms of the act. It was provided that the division might be called "California Employment Service."

Stats. 1935, ch. 258, p. 943. Approved June 1, 1935; in effect Sept. 15, 1935.

Department of Employment. Division of State Employment Agencies.

1936 The act of 1935 which created the Department of Employment provided that the Division of State Employment Agencies should be transferred from the Department of

Industrial Relations to the new department on July 1, 1936. The provisions of the law were such that the transfer was to make no break in the continuity of function of the division.

State Advisory Council

1935 Working in close relationship to the Division of State Employment Agencies is the State Advisory Council. Section 11 of the Wagner-Peyser Act provided for the organization of "State advisory councils composed of men and women representing employers and employees in equal numbers and the public." An unofficial body had been appointed in 1934, but the first official State Advisory Council was appointed by the Governor on April 23, 1935. It was composed of sixteen members, who were to serve for a term of two years.

Division of Unemployment Compensation

This division resulted from the amalgamation of two earlier divisions which were set up when the department was created. It handles the unemployment reserves functions of the department. It operates through six subdivisions.

Division of Unemployment Reserves

1936 The Division of Unemployment Reserves was established in the Department of Employment in January, 1936.

Division of Unemployment Compensation

1937 In September, 1937, the Division of Unemployment Reserves was merged with the Division of Accounts and Statistics. The new division was given the designation Division of Unemployment Compensation. Several subdivisions were organized in it at this time, including the Accounting Section, Auditing Section, Cashiering Section, and Index and Registration Control Section. The Hollerith Section was reorganized in its present form in May, 1938, and the Compensation Section assumed its present status in October, 1938.

Executive Division

In the Executive Division is concentrated the general administration of the Department of Employment. Under it are various functional units which serve the department as a whole. Their adminis-

trative authority comes directly from the Executive Director of the Department. They may be regarded, therefore, as subdivisions of the Executive Division, and are so listed here.

1. APPEALS BUREAU.

1937 An Appeals Bureau was established in September, 1937, to settle differences in connection with claims for unemployment benefits.

2. PERSONNEL SECTION.

1938 A special Personnel Officer was employed in the department early in 1938 to carry out the provisions of the Civil Service Act, to secure proper employees for the department, and to provide training of personnel. The Personnel Section was established in its present form when the department was reorganized on July 1, 1938.

3. PUBLIC RELATIONS SECTION.

1938 A Public Relations Officer functioned from the time the department was first organized in order to educate employers, employees, and the public as to their rights and duties under the Unemployment Reserves Act. The Public Relations Section was set up in the middle of 1938.

4. RESEARCH AND STATISTICS SECTION.

Division of Accounts and Statistics

1936 This division was established in January, 1936. In September, 1937, it was consolidated with the Division of Unemployment Reserves to form the new Division of Unemployment Compensation.

Research and Statistics Section

1937 The Research and Statistics Section was created in October, 1937. It took over some of the functions previously administered by the Division of Accounts and Statistics. It compiles reports for state and federal agencies, and investigates trends of employment.

5. RULES AND REGULATIONS SECTION.

1938 A Rules and Regulations Officer also was appointed soon after the department was organized, but the Rules and Regulations Section was established in July, 1938.

STATE RELIEF ADMINISTRATION
As Organized August 1, 1939

ADMINISTRATOR'S OFFICE

Bureau of Community Relations

ACCOUNTING DIVISION

DIVISION OF SOCIAL SERVICE AND COUNTY ADMINISTRATION

1. Bureau of County Operations
2. Bureau of Social Service

DIVISION OF PERSONNEL

DIVISION OF PLANNING AND RESEARCH

Bureau of Social and Administrative Audit

DIVISION OF WORK AND REEMPLOYMENT

1. Bureau of Commodity Distribution
2. Bureau of Resident Projects
3. Bureau of Self-Help

STATE RELIEF ADMINISTRATION

The State Relief Administration is an agency of the state government created originally to meet what was considered a temporary emergency. Inasmuch as its aim was to alleviate distress caused by depression conditions, it has been extremely sensitive to any changes in those conditions, and to the activities of other agencies established from time to time to accomplish the same purpose. This has resulted in an organization of a highly unstable or fluid character, so that it is difficult to make positive statements about the number and designation of divisions and subdivisions at any given time, or to trace accurately the history of their development. Nevertheless, an attempt has been made to treat the Administration in the same manner as other agencies of the government, even though the discussion can not be so complete or the description of subdivisions so detailed as usual.

This is by no means a complete picture of relief activities in California. Federal agencies whose functions are inextricably bound up with those of the SRA are mentioned in the briefest possible way, or even omitted if they did not cause a real change in administrative organization. Local agencies are scarcely mentioned; and the organization of local offices of the SRA is omitted entirely. A brief description of another state commission which actually had no connection with the State Relief Administration, the State Unemployment Commission, is included here, however, because of its closely related interest in the problem of relief.

State Unemployment Commission

1931 By 1931 the unemployment situation in California had assumed serious proportions. In January of that year the Legislature created a State Unemployment Commission to investigate unemployment questions and methods of relief, and to make recommendations for legislation. The commission was to consist of five members appointed by and holding office at the pleasure of the Governor. The report of the commission was submitted in November, 1932; several of the recommendations were put into effect subsequently. One recommendation was for a $20,000,000 state bond issue, discussed further below.

Stats. 1931, ch. 61, p. 54. Approved and in effect Feb. 3, 1931.

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State Emergency Relief Administration

1933 The first federal relief funds were received by California in January, 1933. For about three months they were administered by the Department of Social Welfare, but on March 24, 1933, they were turned over to an Emergency Relief Administrator, appointed at that time as special assistant to the Governor. The Governor also appointed shortly afterwards an Emergency Relief Commission of eleven members to assist the Administrator in determining relief policies.

Legislative authority for these appointments was given in April, by the passage of the Unemployment Relief Bond Act of 1933. The law became effective through a constitutional amendment (article XVI, section 9) approved by popular vote on June 27, 1933. The law authorized a $20,000,000 bond issue, of which the proceeds were to be loaned to counties or cities for relief purposes. The administration of the act was vested in the State Emergency Relief Commission in cooperation with the Emergency Relief Administrator. No specific provisions concerning membership, term of office, or method of appointment, were included.

This act also created the Unemployment Relief Finance Committee to determine conditions and terms of the relief bond issues. The committee consisted of the Governor, State Controller, State Treasurer, Director of Finance, and the Emergency Relief Administrator, with the Attorney General as legal advisor.

Stats. 1933, ch. 207, p. 677. Approved Apr. 29, 1933; in effect June 27, 1933.

State Relief Administration

1934 In the extra session of the Legislature in 1934 a constitutional amendment (article XVI, section 10) was proposed, which was ratified by the people on November 6, 1934. The amendment provided for a $24,000,000 bond issue for unemployment relief. It created a new Relief Administrator and Relief Commission to expend the funds, transferring to them the powers and duties assigned to the State Emergency Relief Commission and Emergency Relief Administrator by the Bond Act of 1933. The Relief Administrator was to be appointed by and to hold office at the pleasure of the Governor. He was to receive such compensation as might be fixed by the Governor. The commission was to consist of the Director of Social Welfare, ex officio, and eight members

who were also to be appointed by and to hold office at the pleasure of the Governor. The administrator was to serve as the executive officer; the commission was to form policies and give advice for the guidance of the administrator.

An attempt was made to liquidate the Relief Administration in 1937. An act was passed (ch. 234, p. 530) which transferred the powers and duties of the SRA to the Department of Social Welfare. The Attorney General issued an opinion, however, that this law was unconstitutional and invalid, inasmuch as the Legislature did not have the power to change an office or act ratified by the people as a constitutional amendment. In order to remove this difficulty, the Legislature prepared a constitutional amendment, which was adopted by vote of the people on November 8, 1938. This amendment, adding section 11 to article XVI, empowered the Legislature "to provide for the administration of any constitutional provisions or laws heretofore or hereafter enacted concerning the administration of relief, and . . . modify, transfer, or enlarge the powers vested in the Relief Administrator, the Relief Commission or any other State agency or officer concerned with the administration of relief or laws appertaining thereto."

From the time of its establishment early in 1933 until May, 1934, the State Emergency Relief Administration gave advice and supervision to counties, but did not operate through local SERA offices. Only county welfare departments and equivalent public agencies of the counties actually administered unemployment relief. "Beginning in May, 1934, the Relief Administration established its own relief offices to administer the Emergency Work Program, and by the spring of 1935 these offices covered the state handling all unemployment relief, both in work and direct form. The State Relief Administration was then a fully integrated organization." (California. State Relief Administration. Review of activities . . . 1933-1935, p. 24.)

A certain amount of administrative organization was set up in the State Emergency Relief Administration during the period when the Civil Works Administration functioned under its direction. The Civil Works Administration was created on November 8, 1933, and the California program was immediately organized under the SERA. It was felt, however, that relief and CWA activities could be administered separately with more efficiency, and this led to the appointment of a Civil Works Administrator on December

15, and the complete separation of the two programs on January 19, 1934. The Civil Works Administration was suspended at the end of March, 1934, and work relief was continued by the State Emergency Relief Administration after that date.

This brief discussion will suffice to explain why the outline of the administrative development of most of the subdivisions of this agency begins with April, 1934, even though the State Emergency Relief Administration had been in existence for a whole year at that time.

Administrator's Office

In June, 1934, the first organization of the SERA into coordinated departments and divisions took place. Five Assistant Administrators, each in charge of a separate operating division, were appointed. These units included a division under the SERA Comptroller, a Work Division, a Special Programs Division, a Social Service Division, and a Field Service Division. They are discussed more fully later.

At the same time four administrative assistants, working directly under the administrator, were appointed. Each supervised a service division. These consisted of a division under a Director of Office Management, a Personnel Division, a Public Relations Division, and a Division of Research and Surveys. During 1934 there was a Complaint Division as well. Of these, the Personnel Division and the Division of Research and Surveys have become separate divisions of the SRA; their histories may be found under *Division of Personnel* (p. 63), and *Division of Planning and Research* (p. 64), respectively. The history of the other sections is given below.

1. DIRECTOR OF OFFICE MANAGEMENT.

1934 A Director of Office Management was appointed in June, 1934. The position was eliminated in the SRA in September, 1935, when a similar office was established in the Works Progress Administration.

2. BUREAU OF COMMUNITY RELATIONS.

Public Relations Division

1934 The Public Relations Division was created in 1934 under the supervision of one of the four administrative assistants discussed above. It was abolished as a separate division in the Administrator's Office in September, 1935. Its function was transferred to the Social Service Division.

Division of Planning and Research

1939 The public relations function was accorded recognition as an individual subdivision once more when a Bureau of Community Relations was created in the Division of Planning and Research in January, 1939.

Bureau of Community Relations

1939 In July, 1939, this bureau was removed from the Division of Planning and Research, and set up as a separate bureau reporting directly to the administrator.

Accounting Division

In 1934 financial procedures, office records, etc., were placed in charge of an administrative assistant with the title of Comptroller. This unit of the SERA was organized into an Accounting Department, a Purchasing Department, and a Statistics Department. Disbursements, closely related to the functions of this division, were administered by a special division of the State Controller's Department. See *Unemployment Relief Division* (p. 28).

In 1935 a slight change in organization was made. The activities were grouped under the general designation of Accounting Division. Subdivisions included a Budget Control Department, Disbursing Department, Purchasing and Property Department, Records Department, and Reports and Statistics Department.

Late in 1935 another change was made. A Northern Accounting Unit and a Southern Accounting Unit were established to centralize accounting previously performed in county and district offices.

In April, 1936, the term Current Operations was adopted to cover all the subdivisions of the Accounting Division with the exception of the two direct relief accounting units. The Disbursing Department was abolished at that time, as the State Controller took over SRA disbursements. The names of some of the other subdivisions were changed. Since then there have been so many transfers of subdivisions and so many changes in nomenclature that no attempt is made here to trace further the history of each unit. The present subdivisions of the Accounting Division discharge functions relating to such subjects as fiscal budgets, purchasing, property, claims, audits, and administrative and direct relief accounting.

Division of Social Service and County Administration

The Division of Social Service and County Administration is the final development of several earlier divisions whose history goes back

to the very beginning of the State Emergency Relief Administration. It performs a variety of functions closely related to the work of local relief offices. This is discussed more fully below.

Family Welfare Division

1933 The Family Welfare Division was one of the few divisions established in the State Emergency Relief Administration during 1933 while unemployment relief was being administered by county welfare agencies. It was the predecessor of the Social Service Division. It advised county agencies in case work activities and the development of relief standards. It also issued family food budgets for use in county offices.

Social Service Division

1934 After the Civil Works Administration ceased in March, 1934, and the SERA was reorganized, a Social Service Division was created in place of the Family Welfare Division. It became the largest unit in the SRA, but apparently was not so highly organized as certain of the other divisions. The work was segregated into functional, rather than strictly administrative, subdivisions. Part of the staff worked on relief standards, procedures, and budgets. Enrollment in the Civilian Conservation Corps was also handled in this division. A Training Department, necessary because of the shortage of trained case workers, operated from August, 1934, until early in 1396. "A Medical Advisor, appointed in March, 1935, maintained relations between the Relief Administration and county medical and dental associations in establishing programs for the more adequate care of relief clients." (California. State Relief Administration. Review of activities . . . 1933-1935, p. 57.) This work and CCC enrollment continued after the curtailment of the SRA program in August, 1935. In the last week of that month the Social Service Division took over the functions of the Transient Division, in an effort to close out that program. Early in the next year it also absorbed the Field Service Division, described below.

Field Service Division

1934 In September, 1934, the state was divided into districts which were assigned to SERA field directors

operating in the Field Service Division. The purpose of the division was to assist local offices to meet federal and state policies and standards and to solve problems of administration of relief activities. This division was continued after the work program stopped in 1935, but about January, 1936, it became part of the Social Service Division.

Division of County Administration

1937 The Social Service Division was reorganized on July 26, 1937. It was renamed the Division of County Administration. It was not organized into definite subdivisions, but its functions were segregated as follows: CCC Director, Medical Director, Social Service Interpretation, Home Economist. The field staff was also attached to this division.

Division of Social Service and County Administration

1939 The designation Division of Social Service and County Administration was adopted in 1939. In May, 1939, two subdivisions were organized in the division. They are called the Bureau of Social Service and the Bureau of County Operations.

Division of Personnel

Administrator's Office. Personnel Division.

1934 A Personnel Division was established in the Administrator's Office when the four administrative assistants were appointed in June, 1934. After the WPA was created in 1935, and the functions of the SRA were curtailed in consequence, the work of this division was greatly reduced. It became mainly a record office for a while, as each division of the State Relief Administration carried on its own personnel activities. Late in July, 1936, however, these functions were centralized once more in the Personnel Division in the Administrator's Office. A further reorganization occurred early in 1939.

Division of Personnel

1939 In January, 1939, the Division of Personnel was established as a separate staff division outside the Administrator's Office.

Division of Planning and Research

A subdivision concerned with statistical work and research has existed in the State Relief Administration from the time the first real organization was established in 1934 until the present. The California Unemployment Relief Act of 1935 contained the statement: "The Relief Administrator shall maintain an adequate division of research and statistics and keep full records of the administration of relief under this act." The status and title of the division have been changed numerous times, however. The complete history is given below.

Administrator's Office. Division of Research and Surveys.

1934 The Division of Research and Surveys was set up in June, 1934, as a service division supervised by an administrative assistant working directly under the Administrator. "A director of research and surveys prepared periodic reports and bulletins, advised in the planning and conduct of work relief projects involving research, and engaged in special administrative research." (California. State Relief Administration. Review of activities . . . 1933-1935, p. 55.) The division was abolished in February, 1936, most of its work being transferred to a subdivision in the Accounting Division.

Accounting Division. Reports and Statistics Department.

1936 The work of the Division of Research and Surveys, the duty in particular of publishing the monthly report, was assumed by the Reports and Statistics Department of the Accounting Division in February, 1936. This subdivision performed a variety of functions. During 1936 it took over the duty of preparing the budget. In 1936, also, the chief of the department was assigned the work of handling the Social Audit.

The Social Audit was started early in 1935 in the Social Service Division, for the purpose of surveying the activities of the social workers in the local offices. As stated above, this work was transferred from the Social Service Division to the Accounting Division in August, 1936.

The Reports and Statistics Department was removed from the Accounting Division in October, 1937. It became the Division of Statistics and Audits.

Administrator's Office. Division of Statistics and Audits.

1937 On October 9, 1937, the Reports and Statistics Department was placed in the Administrator's Office. It was given the

new designation Division of Statistics and Audits. The duties of this subdivision related to the budget, the Social and Financial Audits, and to the compilation of statistical reports. Certain of these functions were returned to the Accounting Division in June, 1938, when the Statistics and Budget Department was established. The name of the Division of Statistics and Audits was changed once more.

Administrator's Office. Administrative Studies.

1938 When the Division of Statistics and Audits was reorganized on June 8, 1938, the part which remained in the Administrator's Office was given the title Administrative Studies. This unit was abolished in November, 1938.

Accounting Division. Statistics and Budget Department.

1938 When the Division of Statistics and Audits in the Administrator's Office was reorganized in June, 1938, the major part of its functions was transferred to a new subdivision established in the Accounting Division. This section was designated the Statistics and Budget Department. It operated until the end of the year.

Division of Planning and Research

1939 In January, 1939, the Statistics and Budget Department was removed from the Accounting Division, and set up as a separate division with the title Division of Planning and Research. The Bureau of Community Relations was originally a subdivision of this division, but it was established as a separate division in July, 1939 (see p. 60). At present there is only one subdivision.

BUREAU OF SOCIAL AND ADMINISTRATIVE AUDIT

1939 The history of the Social Audit is discussed more fully above. When the section in the Administrator's Office called Administrative Studies was abolished in November, 1938, work on the Social Audit stopped. A new subdivision to carry on this work, however, was created in the Division of Planning and Research on August 1, 1939. It was designated Bureau of Social and Administrative Audit.

Division of Special Surveys and Studies

This division was created in August, 1935, to survey the problems caused by the reduction of relief activities when the work program

was discontinued. Besides analyzing the organization of social welfare programs throughout the state, it investigated such special questions as transient relief and medical care for the unemployed. It went out of existence in July, 1936.

Division of Work and Reemployment

A Division of Operations was created in May, 1936. The name was changed early in 1939 to Division of Work and Reemployment. Under this division are administered miscellaneous activities, most of which were started as separate programs in the early days of the State Emergency Relief Administration, and which were brought together in 1934 in a Division of Special Activities. At the time the Division of Operations was established, four subdivisions were set up in it: the Work Division, the Surplus Commodities Division, the Division of Self-Help Cooperatives, and the Property Department. Somewhat later an Accounting Department and a Camps Operations Department were added, and the Property Department was transferred to the Accounting Division. At present there are three subdivisions in the division. Each one is discussed separately below.

Division of Special Activities

1934 Under the designation Division of Special Activities were grouped four distinct programs inaugurated at different times under the supervision of the SERA. The subdivisions included the Rural Rehabilitation Division, the Division of Self-Help Cooperative Service, the Surplus Commodity Division, and the Transient Division. When the SERA organization was set up in 1934, these programs were placed under an assistant administrator in a Special Programs Division. The name was changed to Division of Special Activities early in 1935. With the curtailment of the work program in August, 1935, the Division of Special Activities was abolished. The divisions operating under it, except for the Rural Rehabilitation Division which had been transferred a month earlier to a federal agency, were absorbed by other divisions of the SRA.

Rural Rehabilitation Division

1934 In April, 1934, the Federal Emergency Relief Administration undertook a program of rural rehabilitation. Shortly afterwards a Rural Rehabilitation Division was established in the SERA. This was one of the subdivisions of the Division of Special

Activities. On July 1, 1935, it was transferred to the United States Resettlement Administration.

1. BUREAU OF COMMODITY DISTRIBUTION.

Surplus Commodity Division

1933 This division of the SERA was created in October, 1933. A few months later it was placed in the Special Programs Division. During the first year it distributed to the counties surplus commodities, particularly agricultural commodities, made available by the federal government. The actual distribution to relief clients was made by the county welfare departments. After October, 1934, the division administered this function directly. Its duties were increased, also, by the adoption of the work program. Commencing January 1, 1935, it undertook to deliver raw materials to work relief production projects and to distribute the finished products. When the Division of Special Activities was abolished in 1935, the Surplus Commodity Division was transferred to the Work Division. The name was changed to Commodity Distribution Division in September, 1935.

Surplus Commodity Distribution Department

1936 A Surplus Commodities Division was set up in the Division of Operations when it was created in May, 1936. Some time later, as the nomenclature of divisions and subdivisions became more uniform, the title Surplus Commodity Distribution Department was adopted.

Bureau of Commodity Distribution

1939 The name Bureau of Commodity Distribution was adopted early in 1939.

2. BUREAU OF RESIDENT PROJECTS.

State Labor Camp Committee

1931 Early in the depression period the presence of a migrant unemployed group received the attention of state authorities. The California State Unemployment Commission suggested the appointment of a special committee to study the problem. Accordingly, the Governor appointed the State Labor Camp Com-

mittee on November 16, 1931. The committee recommended the establishment of state labor camps for homeless men.

California Labor Camp Executive Committee

1931 On November 27, 1931, the Governor appointed the California Labor Camp Executive Committee to supervise operation of the camps, the establishment of which he authorized at that time. The camps were actually managed by the Division of Forestry in the Department of Natural Resources and the Division of Highways in the Department of Public Works.

These camps were closed in April, 1932. They were operated once more, however, in the winter of 1932-1933 by the Division of Forestry, being discontinued in May, 1933.

Transient Division

1934 The state labor camp program was undertaken in the fall of 1933 by the SERA. It was shortly afterwards transferred in turn to the Civil Works Service Administration and to the CWA. On April 1, 1934, the administration of the program was returned to the State Emergency Relief Administration.

During this period this program was aimed at care of the homeless residents of California. To handle transients, in the meantime, a Transient Service was established in the SERA in September, 1933. When the labor camp program was returned to the SERA in April, 1934, the two programs were combined in the Transient Division of the Special Programs Division.

1935 During the last week in August, 1935, the Transient Division was transferred from the Division of Special Activities to the Social Service Division at the request of the federal government. The program was liquidated as soon as possible thereafter, as no more transients were to be accepted for care from federal funds after September 20th. Whenever possible they were to be returned to their states of residence. Homeless residents of California, however, were still the responsibility of the SRA. Transient and resident homeless men's camps were both placed under the state director of social service. The statistical and account-

ing sections of the Transient Division were absorbed by the corresponding divisions of the SRA, and the family service bureaus by the Social Service Division.

Camps Operations Department

1936 In August, 1936, this work was transferred from the Social Service Division to the Division of Operations, and the Camps Operations Department was established.

Bureau of Resident Projects

1939 The name of the subdivision was changed about May, 1939, to Bureau of Resident Projects.

3. BUREAU OF SELF-HELP.

Division of Self-Help Cooperative Service

1933 This division was created in July, 1933. It worked with California cooperatives, carrying on such functions as transmitting applications for federal grants, giving advice on production problems, and supervising their auditing and accounting systems. It became a subdivision of the Special Programs Division in 1934. After the Division of Special Activities was eliminated in 1935, the Division of Self-Help Cooperative Service was continued on a smaller scale as a separate subdivision.

Division of Self-Help Cooperatives

1936 When the Division of Operations was created in May, 1936, one of the subdivisions established in it was the Division of Self-Help Cooperatives.

Self-Help Department

1937 In April, 1937, the operating plan for this service was reorganized. The name was changed to Self-Help Program or Division of Self-Help. A little later it became known as the Self-Help Department.

Bureau of Self-Help

1939 Early in 1939 the terminology of the subdivisions in the Division of Work and Reemployment was standardized, and the designation Bureau of Self-Help was adopted.

4. WORKS DEPARTMENT.

After the Civil Works Administration activities ceased in March, 1934, two divisions to administer work relief were established in the State Emergency Relief Administration. They were the Engineering Division and the Professional, Technical and Women's Work Division. These divisions continued as separate operating units until February, 1935, although nominally they were placed in a Work Division with a single director on July 25, 1934. By 1935 the division was organized into several subdivisions, called departments. These are discussed separately below.

The Works Progress Administration, a federal agency, was created by the President on May 8, 1935. In the following months the functions of the Work Division of the SRA were transferred largely to the new organization. On August 22, 1935, nearly all projects were suspended and the Emergency Work Program was terminated. Almost all the subdivisions of the Work Division were eliminated at this time. The few work projects remaining under the SRA after August were all closed by April 1, 1936.

When the Division of Operations was created in the SRA in May, 1936, the Work Division became one of its subdivisions. It did not function as an independent unit, however, as it was administered by the director of the Division of Operations. It was really set up as a separate section in the division, with the name Works Department, in January or February, 1938. Construction work in camps was performed by this subdivision. It also assumed cosponsorship for WPA projects.

The Works Department was finally abolished in June, 1939. The Bureau of Resident Projects took over the construction work in camps, and the function of sponsoring WPA projects was assumed by the Division of Work and Reemployment as a whole.

The original Work Division of the SERA, as stated above, was quite highly organized. Because of its historical interest, its subdivisions are discussed individually below.

a. *Construction Department.*

Engineering Department

1934 An Engineering Division was established in the SERA in April, 1934. It was placed in the Work Division in July of that year, with the designation Engineering Department, but it maintained a more or less independent status for several months after that.

Construction Department

1935 In February, 1935, the Work Division was reorganized. The name of this unit was changed to Construction Department. It was eliminated as a separate subdivision after the discontinuance of the work program on August 22, 1935.

b. *Emergency Education Department.*

Professional, Technical and Women's Work Department

1934 The Emergency Education Program was inaugurated in December, 1933, under the Civil Works Administration. After March, 1934, the supervision of this program in cooperation with the State Board of Education was assigned to the Professional, Technical and Women's Work Department. The program for aid to college students, started in California in March, 1934, was handled by the same division.

Emergency Education Department

1935 When the Work Division was reorganized in February, 1935, an Emergency Education Department was established as a separate subdivision. The student aid program ended in June, 1935; the other projects terminated on October 1, 1935, except for nursery school and vocational rehabilitation classes, which were continued for a few months longer.

c. *Health, Safety and Insurance Department.*

1934 In February, 1934, the Supreme Court of California ruled that relief workers were not state employees, and therefore were not subject to the state workmen's compensation act. This problem was finally solved by establishing an insurance fund from federal relief grants, and creating a Health, Safety and Insurance Department to administer it. "In addition to administering compensation benefits, the Health, Safety and Insurance Department exercised control over conditions on projects affecting the health and safety of

workers, and inspected transient camps and shelters and projects of the selfhelp cooperatives." (California. State Relief Administration. Review of activities . . . 1933-1935, p. 116.) When the Work Division was created at the end of July, 1934, the Health, Safety and Insurance Department became one of its subdivisions. When the work program stopped in August, 1935, this subdivision went to the WPA as an independent department.

d. *Production Department.*

1935 A Production Department was organized in the Work Division early in 1935. It operated closely with the Surplus Commodity Division, which assumed on January 1, 1935, the duty of distributing all commodities from production projects. The Production Department was abolished in August, 1935.

e. *Professional and Technical Work Department.*

Professional, Technical and Women's Work Department

1934 This division was set up in April or May, 1934, after the Civil Works Administration ceased operating. It was placed in the Work Division in July, 1934, although it really functioned as an independent division until February, 1935.

Professional and Technical Work Department

1935 In February, 1935, the professional and technical activities were segregated from the women's work, and placed in a special subdivision of the State Relief Administration. It was concerned with projects in the fields of planning, public welfare, health and recreation, arts and research. When the work program was terminated in August, 1935, this department went out of existence.

f. *Women's Work Department.*

Professional, Technical and Women's Work Department

1934 Women's work activities were included in the Professional, Technical and Women's Work

Department which was created in April or May, 1934.

Women's Work Department

1935 When the Work Division was reorganized in February, 1935, a State Director of Women's Work was appointed to advise all branches of the division. Reference was made thereafter to a Women's Work Department. It was abolished when the work program was discontinued in August, 1935.

WATER RESOURCES AND CONSERVATION

Reclamation Board
Water Project Authority
State Irrigation Board
California Districts Securities Commission
Colorado River Board
San Luis Rey Water Authority
State Soil Conservation Committee

RECLAMATION BOARD

As Organized August 1, 1939

ADMINISTRATION DIVISION

ACCOUNTING DIVISION

ASSESSMENT DIVISION

ENGINEERING DIVISION

RECLAMATION BOARD

Very early in the history of the California state government, the legislators displayed an interest in the problem of swamp and overflowed lands. Various agencies were created and abolished; certain districts were established over and over again; but no coordinated plan of development survived for any extended period, until the Reclamation Board was established in 1911. The early agencies interested in drainage and flood control are described here, even though they do not lead in a direct evolutionary chain to the creation of the board. The present system of reclamation districts, organized under the provisions of "An act to promote drainage", passed in 1885 (ch. 158, p. 204) and amended many times subsequently, however, is not discussed. These districts are administered locally, and not by the Reclamation Board.

Board of Swamp Land Commissioners

1861 The first state agency to control reclamation in California was established in 1861. All unsold swamp lands had been granted to the state by the federal government in 1850 by the "Arkansas Act". The Legislature passed laws in 1855 and 1858 to provide for the sale of these lands, but no administrative organization was set up to supervise reclamation activities. In 1861, however, an act was passed which created a board of commissioners authorized to plan for and undertake the reclamation of swamp and overflowed and salt marsh and tide lands. The board was to consist of five members (the actual members of the first board being specified in the act), elected in joint session by the Legislature for a term of two years. Vacancies were to be filled by appointment by the Governor. Each member was to receive an annual salary of $1,200. The salary was reduced in 1863 (ch. 349, p. 523) to $900. The board was empowered to appoint an engineer to survey and draw up plans for the reclamation of any district in which petitions had been received from the owners of one-third of the lands; and to award contracts for construction, spending up to $1.00 per acre on the project, providing the landowners subscribed for the balance of the cost.

Stats. 1861, ch. 352, p. 355. Approved and in effect May 13, 1861.

1866 The Board of Swamp Land Commissioners was abolished in 1866. The powers and duties of the board were transferred to the county boards of supervisors. County surveyors were to be ex officio Engineers of Reclamation. The act of 1861 was specifically repealed in 1868. In the latter year an act was passed (Stats. 1867-1868, ch. 415, p. 507) which provided for the formation of districts and the election of boards of trustees to manage them. "The boards of county supervisors did not follow a system of flood control or reclamation, as had the Board of Swamp Land Commissioners, but permitted the formation of districts of all sizes, shapes and conditions, even with overlaps, etc., often including the land of one owner only. Under this law the state parted with most of its swamp land holdings in about three years." (California. Reclamation Board. Biennial report, 4, 1918, p. 8.)

Stats. 1865-1866, ch. 570, p. 799. Approved and in effect Apr. 2, 1866.

Reclamation Fund Commissioners

1872 An act was passed in 1872 to provide for funding the indebtedness of the reclamation and levee districts of the state. A board of three Reclamation Fund Commissioners was to be appointed by the Governor for a term of four years.

Stats. 1871-1872, ch. 570, p. 835. Approved and in effect Mar. 30, 1872.

1874 In 1874 the provisions of the act of 1872 were repealed, except in so far as they applied to Levee District No. 5 in Sutter County. The powers and duties of the Reclamation Fund Commissioners were turned over to the Board of Supervisors of Sutter County.

Stats. 1873-1874, ch. 413, p. 585. Approved and in effect Mar. 25, 1874.

Board of Commissioners of the Sacramento River Drainage District

1878 In 1878 the Legislature created the Sacramento River Drainage District, and a board of commissioners to administer it, for the purpose of draining the surplus waters of the Sacramento River and the waters flowing from the east side of the Coast Range Mountains into Suisun Bay. "The commissioners of this district reported in 1879 that the scheme had failed, due to lack of any large, comprehensive flood control scheme including all districts in the Sacramento Valley and lowlands, which should control all relief

and reclamation work, including the damaging effects of the mining debris problem." (California. Reclamation Board. Biennial report, 4, 1918, p. 9.)

Stats. 1877-1878, ch. 643, p. 987. Approved and in effect Apr. 1, 1878.

Department of Engineering

1878 In 1878, also, the position of State Engineer was created to investigate the problems of irrigation, drainage, and navigation of rivers. A discussion of the later development of this office and of the creation of other related agencies interested in irrigation and flood control may be found under *Department of Engineering* in v. 1, p. 219.

Board of Drainage Commissioners

1880 A Board of Drainage Commissioners was created in 1880. It was to consist of the Governor, Surveyor General, and State Engineer, serving ex officio; and its function was to divide the state into drainage districts and to organize them. In the July session of 1881 the Supreme Court of California declared this act to be unconstitutional, mainly because it delegated legislative powers to executive officers.

Stats. 1880, ch. 117, p. 123. Approved and in effect Apr. 23, 1880.

Sacramento Drainage District

1905 An act passed in 1905 created the Sacramento Drainage District, a Board of Drainage Commissioners, and a Board of River Control. The nine drainage commissioners were to be elected by the land-owners of the district for a term of four years, and were to have charge of reclamation and drainage activities within the district. The Board of River Control was to consist of two members appointed by the Governor, one of them being the president of the Board of Drainage Commissioners, and the other a competent civil engineer. They were to serve for a term of four years with an annual salary of $6,000.

The effectiveness of the terms of the act was to be contingent, however, upon the acceptance by the state and federal governments of certain flood control plans, with the necessary appropriations. This the federal government failed to do. The second Sacramento Drainage District, like the one of 1878, therefore, was a failure.

Stats. 1905, ch. 368, p. 443. Approved and in effect Mar. 20, 1905.

1911 The act of 1905 which created the Sacramento Drainage District was repealed in 1911.

Stats. 1911, ch. 8, p. 5. Approved and in effect Feb. 3, 1911.

Reclamation Board

1911 In 1911 the Legislature adopted the plan of flood control for the Sacramento River recommended by the California Debris Commission in the report transmitted by the United States Secretary of War on June 27, 1911. A Reclamation Board of three members, to be appointed by and to hold office at the pleasure of the Governor, was created to carry out the provisions of the plan. This board was to pass upon all plans of reclamation entailing the construction of levees or canals along the Sacramento River or its tributaries.

Stats. Ex. Sess. 1911, ch. 25, p. 117. Approved Dec. 21, 1911.

1913 The Reclamation Board Act was greatly expanded in 1913. The membership was increased to seven members, to be appointed by and to hold office at the pleasure of the Governor. Three of the members were to be residents or landowners of the portion of the San Joaquin Valley included within the new Sacramento and San Joaquin Drainage District which was created by the act. This requirement was eliminated in 1915 (ch. 686, p. 1338). Each member was to receive necessary expenses incurred in the performance of official duties, and $20 for each day in attendance at board meetings, but his total annual salary was not to exceed $1,000. The powers of the board were enlarged.

Stats. 1913, ch. 170, p. 252. Approved May 26, 1913; in effect Aug. 10, 1913.

1929 In 1929 the Director of Finance was made executive officer of the Reclamation Board "for the purpose of reporting to the Governor's council upon matters relating to reclamation projects and problems." The Division of Reclamation Finance was thereupon organized in the Department of Finance, with the chief engineer and general manager of the board ex officio chief. The Reclamation Board itself remained, however, an independent administrative agency. It has four subdivisions.

Stats. 1929, ch. 336, p. 658. Approved May 18, 1929; in effect Aug. 14, 1929.

Administration Division

1913 This division was set up in 1913, when the Reclamation Board was organized after the amending act of that year was passed.

Accounting Division

1913 The Accounting Division also was created when the board was organized.

Assessment Division

1913 The Assessment Division was established in 1913 at the inception of the board.

Engineering Division

1912 The act which created the Reclamation Board directed the State Engineer to make surveys and collect necessary data for the completion of the California Debris Commission's plan. He was to report on this matter to the Reclamation Board by January 1, 1913. The amending act of 1913 stated that he should advise and assist the Reclamation Board and be reimbursed by that body for expenses incurred in the pursuit of this duty.

As the Reclamation Board itself described the organization in its 1918 biennial report, the Engineering Division (or Engineering Department, as it was called for the first few years) was, from 1912 through 1917, technically an adjunct of the State Engineering Department. Actually, however, it was a part of the board's organization, for the Flood Control Engineer, who was appointed by the State Engineer and assigned to reclamation activities, reported directly to the board, and he and his staff were paid by it. In 1918 the general manager of the Reclamation Board became also its chief engineer, and the title of Flood Control Engineer, so far as the board was concerned, was abolished.

WATER PROJECT AUTHORITY

The problem of conserving, regulating, and utilizing California's water resources to the best advantage has attracted legislative attention at intervals throughout the last fifty or sixty years. Emphasis on the various aspects of the problem shifted from time to time, resulting in the creation of many different state agencies dealing with more or less related interests. The Reclamation Board, for example, followed one line of development; the State Irrigation Board, another; and the Division of Water Resources of the Department of Public Works, still another. The history of each of these agencies has been outlined under its own title.

In 1878 the office of State Engineer was created for the general purpose of investigating irrigation, drainage, and navigation questions. This is discussed more fully in v. 1, p. 219. Since that time various special commissions have functioned for brief periods, adding through their reports to the sum total of knowledge about the water situation in this state. During this period, also, several federal investigations have been undertaken, and legislative committees have concerned themselves with the subject now and again.

The Water Project Authority was created in 1933 in a final attempt to solve one angle of the problem. Preceding a description of this agency, is a discussion of the earlier state commissions whose efforts led directly or indirectly to the development of the Central Valley Project, administered by the authority. Strictly legislative commissions have been omitted.

Conservation Commission

1911 The Conservation Commission of the State of California was established in 1911. It was to consist of three persons appointed by and holding office at the pleasure of the Governor. Members were allowed no compensation, but were to be reimbursed for actual expenses incurred during the performance of official duties. The purpose of the commission was to investigate "the subjects of forestry, water, the use of water, water power, electricity, electrical or other power, mines and mining, mineral and other lands, dredging, reclamation and irrigation," with a view to revising the laws with respect to them. The major portion of the

commission's work was devoted to the consideration of water resources and irrigation problems.

The commission issued a report early in 1913. With respect to water resources, the commission pointed out the confusion surrounding the entire water rights situation in the state, criticized the prevailing practice of appropriation, and urged that the state be empowered to clarify titles to water and to have full control over its appropriation and use.

Stats. 1911, ch. 408, p. 822. Approved and in effect Apr. 8, 1911.

1921 The Conservation Commission apparently did not function after 1915 or 1916. The act creating it was repealed in 1921.

Stats. 1921, ch. 639, p. 1072. Approved June 1, 1921; in effect July 31, 1921.

State Water Problems Conference

1915 In 1915 an act was passed which empowered the Governor to call a special conference, which should consider and recommend a unified state policy with reference to irrigation, flood control, and related subjects. The conference was to consist of the Lieutenant Governor, speaker of the Assembly, and chairman of each of the Senate and Assembly committees on irrigation, and on drainage, swamp, and overflowed lands, the State Engineer, chairman of the State Water Commission, chairman of the State Reclamation Board, chairman of the State Conservation Commission, Secretary of Agriculture, and six others to be appointed by the Governor. The conference was to meet during 1915 and 1916, and to go out of existence with the filing of its report not later than November 30, 1916. Members were not to receive salaries, but were to be reimbursed for necessary traveling expenses.

As a result of this conference a report was issued containing many recommendations concerning the improvement of water law, coordination of water utilization and regulation, and state and federal aid for water conservation.

Stats. 1915, ch. 359, p. 514. Approved May 18, 1915; in effect Aug. 8, 1915.

California Joint Federal-State Water Resources Commission

1929 The Governor was authorized in 1929 to appoint a water resources commission of not less than five nor more than seven members. The commission was required to cooperate

with a federal commission or agency designated by the President of the United States, and with any legislative commissions investigating flood control, conservation, or navigation. The commission was to file its final report by December 1, 1930. Members were to receive no compensation, but were to be reimbursed for official business expenses.

Stats. 1929, ch. 561, p. 963. Approved May 29, 1929; in effect Aug. 14, 1929.

California Water Resources Commission

1931 A Senate Concurrent Resolution in 1931 recommended the appointment of a commission to be known as the California Water Resources Commission. The commission was to consist of nine members, appointed from representative areas by the Governor. The fundamental purpose of the commission was "to study and report upon the conservation, development and distribution of the water resources of the state, including particularly findings and recommendations as to the economic phases involved in said plan and such proposed legislation, resolutions and constitutional amendments as may be necessary and advisable to carry into effect a coordinated plan for the development and distribution of the water resources of the state."

The commission was appointed on August 24, 1931, and made its report in June, 1932. Its recommendation concerning the creation of a permanent Water Resources Commission by amendment to the constitution was not followed up, but its suggested statute relating to the Central Valley Project was the basis for an act passed the following year.

Stats. 1931, S. C. R. no. 40, p. 3152. Filed with Secretary of State May 15, 1931.

Water Project Authority

1933 After consideration of the many studies made by state and federal agencies, legislative committees, and the special commissions discussed above, the Legislature passed the Central Valley Project Act in 1933. This act created the Water Project Authority of the State of California, consisting of the Attorney General, State Controller, State Treasurer, Director of Finance, and Director of Public Works. In the event that any of these offices were abolished at some future time, provision was made for the appointment of additional members. The Director of Public Works was to be the chairman of the authority; the State Engineer its executive officer. Members were to serve with-

out compensation other than necessary expenses incurred in travel on official business.

The Water Project Authority was charged with the responsibility of constructing the Central Valley Project. This entailed such activities as approving general engineering plans, acquiring water rights and rights of way, arranging for the sale of water and electric power to be made available by the project, and negotiating with the United States government for appropriations and necessary authorizations for the construction of the project.

Although originally proposed as a state undertaking, the Central Valley Project was authorized and adopted as a federal reclamation enterprise by executive order of the President in 1935, subsequently affirmed by congressional act in 1936, and reaffirmed in 1937. The project is being constructed, therefore, by the Bureau of Reclamation of the United States Department of the Interior. The technical work of the authority has been handled by the Division of Water Resources of the Department of Public Works.

Stats. 1933, ch. 1042, p. 2643. Approved Aug. 5, 1933; in effect Jan. 13, 1934, after a favorable vote on referendum measure submitted to the people Dec. 19, 1933.

STATE IRRIGATION BOARD

The State Irrigation Board is one of the several bodies which have been established at one time or another in this state to administer special local districts. The first Irrigation Board was created in 1915; the present board was set up in 1921.

Irrigation Board

1915 The California Irrigation Act, passed in 1915, provided for the storage and diversion of water, the manufacture of electric and water power, management of water districts, etc. It created the Irrigation Board to administer the act. The board consisted of three members appointed by the Governor for a term of four years. Compensation of members was set at $10 for each day employed in the performance of official duties.

This act was passed in an attempt to forward the construction of the so-called Iron Canyon Project on the Sacramento River. No action was taken under it, however, at that time. It was amended in 1917 and 1919. An effort was made to organize five small districts in Madera County, litigation ensued, and finally, on August 3, 1920, the Supreme Court declared the act to be unconstitutional (*Mordecai* vs. *Board of Supervisors*, 183 Cal. 434). It was repealed by the Water Storage District Act of 1921, and again by a law passed specifically for that purpose in 1931 (ch. 93, p. 124).

Stats. 1915, ch. 621, p. 1173. Approved June 4, 1915; in effect Aug. 8, 1915.

State Irrigation Board

1921 The California Irrigation Act was repealed by the Water Storage District Act in 1921. The new law provided for the organization and operation of water storage districts, and conferred powers upon the State Engineer to administer it. To assist the State Engineer in the performance of his duties, and to provide for the equalization of assessments under the act, provision was made for the appointment of two persons to be known as executive directors. They were to be appointed by the Governor for a term of four years.

One was required to have had five years experience in administration. Their compensation was set at $20 for each day employed in the performance of official duties, and traveling expenses.

Stats. 1921, ch. 914, p. 1727. Approved June 3, 1921; in effect Aug. 2, 1921.

1923 Section one of the California Water Conservation District Act, passed in 1923, created a board to be known as the State Irrigation Board, consisting of the State Engineer and the two executive directors of the Water Storage District Act. The term of office and compensation provisions established by the California Water Storage District Act, remained the same. The board was authorized to unite irrigation, water storage, reclamation, or drainage districts into single districts known as water conservation districts.

Stats. 1923, ch. 426, p. 978. Approved June 18, 1923.

CALIFORNIA DISTRICTS SECURITIES COMMISSION

The California Districts Securities Commission was created in its present form in 1931. Its history, however, goes back to 1911 when the first bond certification commission was established. The whole question of district bonds was thoroughly investigated by a special commission which reported in 1930. These agencies are discussed more fully below.

Irrigation District Bond Commission

1911 The first act relating to bonds of irrigation districts which provided for a special certification commission was passed in 1911 (ch. 157, p. 322), and amended in the extra session that same year (ch. 3, p. 3). It was revised and reenacted in 1913. The law provided for a commission to which the board of directors of a California irrigation district might apply in order to have the bonds of the district certified as legal investments for trust funds, etc. The commission was to consist of the Attorney General, State Engineer, and the Superintendent of Banks. Although it was not so designated in the law, the commission was known as the Irrigation District Bond Commission. Its function was to make certain investigations, upon application by a board of directors of a district, and to report upon the findings to the State Controller.

Stats. 1913, ch. 366, p. 778. Approved June 13, 1913; in effect Aug. 10, 1913.

California Bond Certification Commission

1921 An amendment to the Bond Certification Act in 1921 specifically named the commission the California Bond Certification Commission.

Stats. 1921, ch. 706, p. 1198. Approved June 2, 1921; in effect Aug. 1, 1921.

1931 When the California Districts Securities Commission was created in 1931, it succeeded to and was vested with all the duties and powers of the California Bond Certification Commission.

California Irrigation and Reclamation Financing and Refinancing Commission

1929 A law passed in 1929 appropriated a sum of money to be used at the direction of the Governor for the purpose of reporting upon better methods of financing and refinancing irrigation, reclamation, and other public improvement districts. The Governor was authorized to appoint a commission to be known as the California Irrigation and Reclamation Financing and Refinancing Commission. It was to consist of not less than three nor more than seven members. No compensation was specified, but members were to receive actual and necessary expenses incurred in the performance of their duties. The commission was to report its findings and conclusions by December, 1930. Certain of its recommendations were incorporated in the California Districts Securities Commission Act, passed by the next Legislature, in 1931.

Stats. 1929, ch. 520, p. 897. Approved May 27, 1929; in effect Aug. 14, 1929.

California Districts Securities Commission

1931 The California Districts Securities Commission was created in 1931. It was to consist of the Attorney General, State Engineer, Superintendent of Banks, and two other members to be appointed by the Governor for a term of four years. One of the appointed members was required to have had at least five years actual experience in the affairs of a California irrigation district as an officer or employee. All members were to receive actual expenses incurred on official business, and the appointed members were to receive in addition $10 for each day spent in the discharge of official duties.

The California Districts Securities Act was a continuation of the earlier Bond Certification Act. The new commission succeeded to the powers and duties of the California Bond Certification Commission, but was given additional responsibilities in connection with the financial administration of irrigation districts.

Stats. 1931, ch. 1073, p. 2263. Approved June 19, 1931; in effect Aug. 14, 1931.

COLORADO RIVER BOARD

The story of the Colorado River has been written many times. For years the wide interest in its control and development was expressed in surveys, reports and investigations of various governmental agencies and private individuals. In the 1920's, however, more definite action was taken, leading up to the passage of federal legislation. California appointed representatives at different times during this period to work with special commissions on the problems of interstate relationships. Finally, in 1927, the Legislature established the Colorado River Commission of California; and, in 1937, the Colorado River Board. These two agencies are discussed below.

Colorado River Commission of California

1927 This commission was created in 1927. It was to consist of three members appointed by and holding office at the pleasure of the Governor. The chairman of the commission was to be regarded as the executive officer. His salary was set at $15 for each day engaged in the performance of official duties. The compensation of the other two members was set at $10 per day. The commissioners were also to receive traveling and other necessary expenses.

The purpose of the Colorado River Commission was to confer with representatives of the United States and other states on the problems of the Colorado River, and to take any steps necessary to protect the interests of California and its citizens in the waters of or water rights in the river. It was authorized to employ such secretaries, engineers, attorneys, or other assistants as it needed to carry out its functions.

The commission was to go out of existence on September 1, 1929.

Stats. 1927, ch. 596, p. 1030. Approved May 17, 1927; in effect July 29, 1927.

1929 The Legislature continued the commission in existence until September 1, 1931, by an act passed in 1929.

Stats. 1929, ch. 367, p. 691. Approved May 21, 1929; in effect Aug. 14, 1929.

Colorado River Board of California

1937 The Colorado River Board was created in 1937. The act provided that a list of not less than two persons was to be submitted to the Governor by each of the following: the legislative body of the city of San Diego, and the governing bodies of the Palo Verde Irrigation District, the Imperial Irrigation District, the Coachella Valley County Water District, the Metropolitan Water District of Southern California, and the Los Angeles Department of Water and Power. From each such list the Governor was to appoint one member of the board. The members were to serve without compensation other than expenses incurred in the performance of official duties.

Annually the board was to elect one of its members chairman. He was to be ex officio the "Colorado River Commissioner", and was to serve as the executive officer. The board was authorized to exercise on behalf of the State of California all the rights and duties conferred by the United States law known as the "Boulder Canyon Project Act." The board was also to make further investigations concerning the uses of and claims to the waters of the Colorado River.

The board was to cease functioning after four years, or at an earlier date if its work was finished sooner.

Stats. 1937, ch. 838, p. 2350. Approved July 1, 1937; in effect Aug. 27, 1937.

SAN LUIS REY WATER AUTHORITY

The San Luis Rey Water Authority was created in 1939 (Stats. 1939, ch. 420; became a law June 6, 1939, in effect Sept. 19, 1939). It was to consist of seven members appointed by the Governor for staggered terms of four years. One member was to represent each of the following districts or interests: the city of Oceanside, the Vista Irrigation District, the Carlsbad Mutual Water Company, and the Board of Supervisors of San Diego County. The other two members were to be owners of land riparian to the San Luis Rey River, to represent the riparian landowners. The expenses of members and those of the employees of the authority were to be paid from donations. The function of the authority was to survey the San Luis Rey River watershed and to consider water use, conflicting claims, conservation, etc.

STATE SOIL CONSERVATION COMMITTEE

Throughout the United States in recent years efforts have been made to conserve the soil as one of the country's great natural resources. California followed this trend in 1938, when the Legislature passed an act which declared a state policy of soil conservation through the prevention or control of soil erosion.

1938 The State Soil Conservation Committee was created in 1938. This committee was to consist of the State Engineer, the dean of the College of Agriculture of the University of California, and one member to be appointed by and to hold office at the pleasure of the Governor. The appointed member was to be a qualified civil engineer with at least three years experience in the study and planning or in the construction of works for the control or prevention of soil erosion. Members were to serve without compensation, but were to be reimbursed for expenses incurred in connection with the work of the committee.

The Soil Conservation Committee was to promote the formation of soil conservation districts, to investigate proposed districts, to advise and cooperate in soil conservation activities, and, in general, to administer the act.

Stats. Ex. Sess. 1938, ch. 7, p. 48. Approved Mar. 29, 1938; in effect June 11, 1938.

PORTS AND HARBORS

Board of State Harbor Commissioners for San Francisco Harbor
Board of State Harbor Commissioners for the Bay of San Diego
Pilots
Port Wardens

BOARD OF STATE HARBOR COMMISSIONERS FOR SAN FRANCISCO HARBOR

The port of San Francisco has a long history, dating back to the days of Spanish occupation of California. Its development was haphazard and under private ownership until 1863, when the first state agency was established to manage it. Since then the whole waterfront has changed greatly, commerce has increased enormously, and the Board of State Harbor Commissioners has expanded proportionately. The laws governing the activities of the board were compiled in 1937 into a Harbors and Navigation Code.

A brief description of a related agency, the San Francisco Harbor Bond Finance Board, follows the historical outline of the Board of State Harbor Commissioners.

Board of State Harbor Commissioners

1863 The Board of State Harbor Commissioners was created in 1863. It was to consist of three commissioners, one of whom was to be elected by the qualified electors of the state at the same time and in the same manner as members of the Assembly; one by members of the Assembly and Senate meeting in joint convention; and one by the qualified voters of the city and county of San Francisco at the same time and in the same manner as municipal officers. Members were to serve for staggered terms of four years.

The board was to have charge of the bay waterfront of San Francisco, "with the improvements, rights, privileges, franchises, easements, and appurtenances connected therewith." The duties were to keep in repair all wharves, seawalls, piers, etc., and to construct new ones as needed; to dredge docks; to collect such rents, tolls, wharfage, etc., as might be fixed under the authority of the act.

Any vacancies that might occur on the board were to be filled by appointment by the Governor. The salary of each commissioner was to be $100 per month. This section was changed many times subsequently. Compensation was finally set by the Harbors and Navigation Code at $5,000 per year for the president of the board and $3,000 for each of the other two commissioners.

Stats. 1863, ch. 306, p. 406. Approved and in effect Apr. 24, 1863.

1876 When the Political Code was passed in 1872, the act relating to the Board of State Harbor Commissioners was incorporated in it. An amendment to the code, passed in 1876, provided for the appointment of the three members of the board by the Governor. The term of office remained the same. Another section made the Governor of California and the Mayor of San Francisco ex officio members of the board for certain purposes only, mainly connected with the construction of new seawalls or harbor embankments.

Code amendments 1875-1876, ch. 104, p. 32. Approved and in effect Feb. 28, 1876.

1911 An act passed in 1911 amended the code sections again. It provided that the members of the board should be appointed by the Governor with the consent of the Senate, and should serve at the pleasure of the Governor.

Stats. 1911, ch. 145, p. 313. Approved and in effect Mar. 8, 1911.

Board of State Harbor Commissioners for San Francisco Harbor

1937 The Harbors and Navigation Code, passed in 1937, changed the name of the board to Board of State Harbor Commissioners for San Francisco Harbor.

The work of the board is organized into six units, some of which go back to the earliest days of harbor regulation. Provision was made, for example, for the appointment of counsel in 1864, and for the appointment of an engineer in 1868. As the activities of the board expanded, additional employees were added from time to time. At present, besides the office of the Legal Counsel, the work is segregated as follows: Railroad Operation and Maintenance, Administration, Publicity, Port Operation, and Construction and Maintenance.

Stats. 1937, ch. 368, p. 792. Approved May 25, 1937; in effect Aug. 27, 1937.

San Francisco Harbor Bond Finance Board

1929 The creation of a San Francisco Harbor Bond Finance Board was authorized by the adoption of a constitutional amendment in 1930. The board was to consist of the Governor, Director of Finance, State Controller, State Treasurer, and president of the Board of State Harbor Commissioners. The functions of the board related to the authorization and specifications for sale of harbor bonds.

Stats. 1929, ch. 835, p. 1775. Approved June 17, 1929; in effect upon the adoption of S. C. A. no. 28, adopted Nov. 4, 1930.

BOARD OF STATE HARBOR COMMISSIONERS FOR THE BAY OF SAN DIEGO

The first Board of State Harbor Commissioners for the Bay of San Diego was created in 1889. It was patterned more or less on the Board of State Harbor Commissioners for San Francisco, but never developed to the same extent. It was finally abolished in 1927, but was created a second time in 1933.

1889 The Board of State Harbor Commissioners for the Bay of San Diego was to consist of three qualified electors of San Diego County, appointed by the Governor with the consent of the Senate for a staggered term of four years. The Governor, Mayor of San Diego, and Mayor of National City, were made ex officio members for special purposes connected with the building of seawalls.

The board was to have control of the harbor, constructing and maintaining wharves and docks, dredging the harbor, and managing harbor property. The commissioners were to establish dockage and wharfage rates, and to collect the same. The salary for each commissioner was set at $150 per month, but this was soon reduced to $25 (Stats. 1891, ch. 77, p. 69). The board was authorized to appoint a secretary, assistant secretary, attorney, chief engineer, chief wharfinger, and such assistant wharfingers and collectors as were deemed necessary.

Stats. 1889, ch. 211, p. 305. Approved Mar. 18, 1889.

1927 In 1927 the Board of State Harbor Commissioners for the Bay of San Diego was abolished. The powers and duties of the board were transferred to the Department of Public Works. These were administered by the Division of Ports.

Stats. 1927, ch. 516, p. 860. Approved May 16, 1927; in effect July 29, 1927.

1933 In 1933 jurisdiction over the port of San Diego was removed from the Department of Public Works. The Board of State Harbor Commissioners for the Bay of San Diego was reestablished. Members were to be appointed by the Governor from the membership of the City of San Diego Harbor

Commissioners, and they were to serve without compensation. Ex officio members were still the Governor, and the Mayors of San Diego and National City. The board was to perform approximately the same duties as formerly, but it was not to employ engineers, attorneys, or other employees for this purpose.

Stats. 1933, ch. 992, p. 2555. Approved June 16, 1933; in effect Aug. 21, 1933.

1937 The final legal provisions concerning the board were established by the Harbors and Navigation Code in 1937. The section relating to appointment was the same, with the proviso that if members of the city harbor commission refused the appointment, the Governor might appoint any citizen of the city of San Diego to fill the vacancy. The board was authorized to elect a president, a secretary, and an assistant secretary.

Stats. 1937, ch. 368, p. 792. Approved May 25, 1937; in effect Aug. 27, 1937.

PILOTS

One of the early concerns of California legislators was with the appointment and regulation of licensed pilots for the various harbors along the coast. The third chapter, in fact, of the statutes of 1850 was devoted to this subject. This was a general law providing for the appointment of pilots by the Governor, and setting up certain standards and qualifications. This act was more or less superseded, however, by special acts regulating individual ports which were passed from time to time. Complete discussion and statutory history is given below under the headings: San Francisco, San Diego, Humboldt, and San Pedro and Wilmington.

The current legal provisions regulating pilots may be found in the Harbors and Navigation Code, passed in 1937. The Governor, with the consent of the Senate, may still "appoint pilots for each harbor for which there is not a board of pilot commissioners and for which harbor the appointment of pilots is not otherwise provided for by law. Pilots so appointed shall hold office at the pleasure of the Governor."

SAN FRANCISCO

The Board of Pilot Commissioners for San Francisco Bay dates back to 1850. In that year a special agency was established to administer this one port. Six years later another special board was created for Benicia and Mare Island. Finally, in 1864, the two boards were combined. The agency formed by this amalgamation is now known as the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The statutory history of the two early boards is given below.

Board of Pilot Commissioners for the Port of San Francisco

1850 The Legislature established a Board of Pilot Commissioners for the Port of San Francisco in 1850. It was to be composed of two resident merchants and two experienced and resident shipmasters, who were to be appointed by the Governor, together with the harbor master of the port. The president of the Chamber of Commerce of San Francisco was made a member in place of the harbor master in 1852. Members were to serve for a term of one year, and no com-

pensation was specified. The commissioners were to examine and license pilots for the port.

Stats. 1850, ch. 18, p. 65. Passed Feb. 25, 1850.

1854 An amendment passed in 1854 provided that members of the board should serve at the pleasure of the Governor. Provision was also made for compensating the commissioners. Pilots were to pay five per cent of their earnings to the board, which sum was to cover the expenses of the office and of the commissioners. This principle of allocating a certain percentage of pilots' collections to the board has been followed ever since. It has remained at five per cent except for a brief period between 1860 and 1864, when it was raised to ten per cent.

Stats. 1854, ch. 44, p. 49 (Redding ed.); ch. 159, p. 232 (Kerr ed.). Passed May 11, 1854.

1860 The membership of the board was changed in 1860. It was to consist thereafter of three citizens of San Francisco appointed by the Governor, a person elected by the chamber of commerce, and the president of the chamber of commerce. The next year an amendment stated simply that two members should be elected by the chamber of commerce. Members were to hold their offices at the pleasure of the power appointing or electing them.

Stats. 1860, ch. 251, p. 220. Approved Apr. 21, 1860.

Board of Pilot Commissioners for the Port and Harbors of Benicia and Mare Island

1856 A Board of Pilot Commissioners for the Port and Harbors of Benicia and Mare Island was established in 1856. It was to consist of the Commandant of the United States Navy Yard at Mare Island and two residents of Solano County appointed by the Governor. Members were to hold office at the pleasure of the Governor. Pilots were to pay five per cent of their fees to the commissioners, which sum was to cover the salaries and expenses of the board.

Stats. 1856, ch. 51, p. 62. Approved Mar. 29, 1856.

Board of Pilot Examiners for the Ports of San Francisco, Mare Island, and Benicia

1864 A law passed in 1864 created a Board of Pilot Examiners for the Ports of San Francisco, Mare Island, and Benicia. It was to consist of three experienced and competent shipmasters who were citizens of the United States and residents of San Francisco, to be appointed by and to

hold office at the pleasure of the Governor. Two of the members were to be recommended by the Board of Underwriters and one by the Chamber of Commerce of San Francisco.

Stats. 1863-1864, ch. 345, p. 389. Approved and in effect Apr. 4, 1864.

Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia

1870 As the law was changed in 1870, provision was made for a Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia. The Governor was to appoint, with the advice of the Senate, three shipmasters or nautical men who were United States citizens and residents of San Francisco or Oakland, Vallejo or Benicia, or Brooklyn or Alameda. They were to serve at the pleasure of the Governor, but the term of office was not to exceed four years.

Stats. 1869-1870, ch. 243, p. 344. Approved and in effect Mar. 22, 1870.

Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun

1937 The final legal provisions concerning pilots and the board of commissioners were incorporated in 1937 into the Harbors and Navigation Code. The name of the board was changed to Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The three members, who were to be appointed by the Governor with the advice of the Senate, were to be United States citizens and residents of one of the following counties: San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, or Solano. They were to hold office at the pleasure of the Governor for a term not to exceed four years. They were to receive such compensation as the board itself might determine from time to time, and actual expenses incurred. The necessary funds were to come, as in previous years, from five per cent of the fees collected by the pilots.

Stats. 1937, ch. 368, p. 792. Approved May 25, 1937; in effect Aug. 27, 1937.

CALIFORNIA STATE LIBRARY

HUMBOLDT

The first act to provide for and regulate pilots specifically for Humboldt Bay was passed in 1851. In 1860 a special board was established for this purpose.

1851 A law passed in 1851 named three individuals pilots for the bay and harbor of Humboldt. It prescribed their duties, qualifications, and fees. It also authorized the Governor to suspend or remove any pilot for incompetency, neglect of duty, etc., and provided that he might appoint others to fill vacancies.

Stats. 1851, ch. 72, p. 325. Passed Apr. 5, 1851.

Board of Pilot Commissioners for Humboldt Bay and Bar

1860 A Board of Pilot Commissioners for Humboldt Bay and Bar was created in 1860. It was to consist of three persons to be appointed by and to hold office at the pleasure of the Governor. Members were to be Eureka residents, two of them business men, and the other a shipmaster or nautical man. The board was to appoint pilots for Humboldt Bay, and to administer the law generally. Compensation of members was set at $4 for each day actually employed in the discharge of their duties.

These provisions were incorporated into the Political Code of 1872, the only change being that the term of office was limited to four years. The present Harbors and Navigation Code, passed in 1937, also contains the same specifications.

Stats. 1860, ch. 106, p. 74. Approved Mar. 8, 1860.

SAN DIEGO

1853 The laws and regulations concerning pilots of San Francisco were applied to those of San Diego by a law passed in 1853.

Stats. 1853, ch. 8, p. 22. Approved Jan. 27, 1853.

Board of Pilot Commissioners for the Port of San Diego

1872 A Board of Pilot Commissioners for the Port of San Diego was created in 1872. The board was to be composed of a resident of San Diego appointed by the Governor, and two ex officio members: the president of the Board of Trustees and the president of the Chamber of Commerce of San Diego. Members were to hold office during the pleasure of the power appointing them, not to exceed four years.

Stats. 1871-1872, ch. 435, p. 650. Approved and in effect Mar. 26, 1872.

1911 Another Board of Pilot Commissioners was created in 1911. This board was to consist of two residents of San Diego,

one a citizen and the other a nautical man, appointed by the Governor; and the Mayor of San Diego serving ex officio. Members were to serve at the pleasure of the Governor, the term not to exceed four years. Pilots were to pay five per cent of their fees to the board in full compensation for its services and expenses. These provisions were repeated in the Harbors and Navigation Code of 1937.

Stats. 1911, ch. 102, p. 267. Approved and in effect Mar. 2, 1911.

SAN PEDRO AND WILMINGTON

1889 In 1889 an act was passed which provided for the appointment by the Governor of not more than two persons, residents of San Pedro, as pilots for the Port of Wilmington and the Bay of San Pedro. The act also established qualifications and regulations for the pilots and rates of pilotage.

Stats. 1889, ch. 267, p. 416. Approved and in effect Mar. 19, 1889.

1911 The act of 1889 was repealed in 1911.

Stats. 1911, ch. 664, p. 1269. Approved May 1, 1911.

PORT WARDENS

As in the case of pilots, provision was made by the first Legislature for the appointment of port wardens for the various California harbors. These officers were required, at the request of any person interested in either vessel or cargo, to make a survey of any ship arriving in distress or which had been damaged at sea. The current legal provisions regulating port wardens are contained in the Harbors and Navigation Code.

1850 The act passed in 1850 provided for the appointment of two Port Wardens for the port and harbor of San Francisco, one for Sacramento, and one for every other port of entry within this state. The wardens were to be appointed by the Governor for a term of two years. The fee was set at $15 for each survey.

Stats. 1850, ch. 77, p. 196. Passed Apr. 10, 1850.

Board of Port Wardens for the Port of San Francisco

1853 The number of wardens for San Francisco was increased to four in 1853. They were given the designation Board of Port Wardens for the Port of San Francisco. They were to be appointed by the Governor with the advice and consent of the Senate, and were to hold office until their successors were appointed. The Political Code of 1872 set the term of office at four years. Two or more of the four were to be master mariners. The compensation for each warden for each survey remained at $15, but the fee was not to exceed $75 for any one vessel. The regulations concerning San Francisco wardens were to apply to those appointed for other ports.

Stats. 1853, ch. 33, p. 44. Approved Mar. 19, 1853.

1937 The provisions regulating port wardens were repeated with very little change in 1937, when the Harbors and Navigation Code was passed.

Stats. 1937, ch. 368, p. 792. Approved May 25, 1937; in effect Aug. 27, 1937.

BRIDGES

California Toll Bridge Authority

8—77467

CALIFORNIA TOLL BRIDGE AUTHORITY

This agency is of recent origin. It assumed important functions immediately after its establishment, however, with the commencement of plans for the San Francisco-Oakland Bay Bridge project.

1929 A board to be known as the California Toll Bridge Authority was created by a law passed in 1929. The membership consisted of the Governor, Lieutenant Governor, Director of the Department of Public Works, Director of the Department of Finance, and Chairman of the California Highway Commission. Members were to serve without compensation, other than actual traveling expenses incurred in the discharge of their duties.

The function of the California Toll Bridge Authority was to work closely with the Department of Public Works in the construction or acquisition of toll bridges and other toll highway crossings. The actual building of bridges was to be done by the department, but the authority was given such powers and duties as determining when and where bridges were necessary, authorizing bond issues, setting toll rates, and acquiring land by eminent domain.

Stats. 1929, ch. 763, p. 1489. Approved June 10, 1929; in effect Aug. 14, 1929.

AGRICULTURE AND FARM FINANCE

Agricultural Prorate Advisory Commission
California Farm Debt Adjustment Commission
Waste Utilization Commission
Poultry Improvement Commission

AGRICULTURAL PRORATE ADVISORY COMMISSION

"An act to conserve the agricultural wealth of the State of California, and to prevent economic waste in the marketing of agricultural crops produced in the State of California . . .", passed in 1933, was the first attempt by this state to control economic conditions in the field of agriculture. The correlation of agricultural production to consumer demand was to be accomplished by market proration. An Agricultural Prorate Commission was created to administer the act. The original commission was abolished, and a new Agricultural Prorate Advisory Commission created, in 1939.

Agricultural Prorate Commission

1933 The Agricultural Prorate Commission was established in 1933. It was to consist of nine members appointed by the Governor with the consent of the Senate, for staggered terms of four years. The members were to possess certain qualifications in order to represent people engaged in various branches of agriculture, consumers, and commercial dealers in agricultural products. They were to receive no compensation, but were to be reimbursed for their traveling expenses incurred in the performance of their duties.

The purpose of the law was to make possible the institution of proration programs with respect to entire crops by a certain percentage of the producers of the crop. The power of the state was placed behind such programs to insure their enforcement.

Twenty-three proration programs covering fifteen different agricultural commodities were instituted under the statute as passed in 1933 and revised in 1935 and 1938. The annual farm value of California crops under proration by 1939 was in excess of $65,000,000.

Stats. 1933, ch. 754, p. 1969. Approved June 5, 1933; in effect Aug. 21, 1933.

Agricultural Prorate Advisory Commission

1939 The Agricultural Prorate Act of 1939 was a revision of the earlier acts providing for the setting up and enforcement of agricultural prorated marketing programs. It abolished

the Agricultural Prorate Commission, and created a new body to be known as the Agricultural Prorate Advisory Commission. The new commission was to consist of eight members appointed by the Governor, by and with the consent of the Senate, for staggered terms of four years, and the Director of Agriculture as a ninth, ex officio member. Six of the appointive members were to be engaged at the time of their appointment in the production of agricultural commodities as their principal occupation, but no two of them were to represent the same commodity. One appointive member was to represent consumers generally, and he was to be neither a producer nor a handler of agricultural commodities; and one was to be an experienced commercial handler of agricultural products. The compensation of commission members was set at $10 for each day actually spent on official business, and traveling expenses.

The Agricultural Prorate Advisory Commission was to form policies and to set up rules and regulations. One member was to be present at hearings held in connection with the establishment of proration programs. The commission was to review the evidence and data developed as a result of the hearings, and was to make written findings, granting or denying the petition in accordance with the facts presented.

The Director of Agriculture was to be the executive officer to administer the act. He was authorized to appoint a secretary for the commission who would act as his executive assistant. He was also authorized to appoint an attorney and to provide such other personnel as was necessary.

Stats. 1939, ch. 894. Approved July 22, 1939.

CALIFORNIA FARM DEBT ADJUSTMENT COMMISSION

This agency was created in 1935, when farmers throughout the country were experiencing great financial distress. Its function was to help to solve the problems created by this situation, and to cooperate with the Federal Farm Credit Administration.

1935 A temporary body to be known as the California Farm Debt Adjustment Commission was created in 1935. It was to consist of fifteen members to be appointed by and to serve at the pleasure of the Governor. Members were to receive no compensation; they were not even to be reimbursed for traveling expenses. It was the duty of the commission "to assist in the voluntary adjustment of farm obligations and to that end to provide an agency and means through which farmer debtors and their creditors may enter into voluntary agreements to satisfactorily adjust their obligations." The commission was to go out of existence on September 15, 1937.

Stats. 1935, ch. 704, p. 1905. Approved July 16, 1935; in effect Sept. 15, 1935.

1937 An act passed in 1937 continued the commission in existence until September 15, 1939. The wording of the first section was also changed to allow members reasonable expenses incurred in attending commission meetings.

Stats. 1937, ch. 814, p. 2295. Approved July 1, 1937; in effect Aug. 27, 1937.

1939 The life of the commission was extended in 1939 to September 15, 1941. New duties were assigned to it by the Farm Finance Act of 1939 (Stats. 1939, ch. 929).

Stats. 1939, ch. 940. Approved July 22, 1939; in effect Sept. 19, 1939.

WASTE UTILIZATION COMMISSION

The Waste Utilization Commission, consisting of the Director of Agriculture, Director of Public Works, Director of Natural Resources, and the State Relief Administrator, all serving ex officio, was created in 1939 (Stats. 1939, ch. 741; approved July 13, 1939, in effect Sept. 19, 1939). The Governor was to appoint an executive secretary for the commission. The commission was authorized to investigate and utilize the waste of agricultural, live stock, and timber industries; to conduct experiments and demonstrations; and to receive and use donations and federal subsidies.

POULTRY IMPROVEMENT COMMISSION

The 1939 Legislature created the Poultry Improvement Commission (Stats. 1939, ch. 950; approved July 22, 1939, in effect Sept. 19, 1939). The commission was to consist of five members appointed by the Governor, chosen to represent the five major poultry districts in the state, and three ex officio members: the chiefs of the Poultry and Veterinary Divisions of the University of California, and the State Director of Agriculture. The appointed members were to serve for staggered terms of four years. They were to receive no compensation and were to be reimbursed for traveling and other expenses only when the money in the poultry testing project fund exceeded a certain sum. The commission was to conduct annually a poultry testing project at Modesto or some similarly situated place.

PUBLIC UTILITY REGULATION

Railroad Commission

RAILROAD COMMISSION

As Organized August 1, 1939

DEPARTMENT OF FINANCE AND ACCOUNTS

LEGAL DEPARTMENT

PUBLIC UTILITIES DEPARTMENT

1. Gas and Electric Division
2. Hydraulic Division
3. Research Division
4. Telephone and Telegraph Division
5. Valuation Division

REPORTING DEPARTMENT

SECRETARY'S DEPARTMENT

TRANSPORTATION DEPARTMENT

1. Engineering Division
2. Division of Investigation
3. Rate Division
4. Safety Division
5. Truck and Stage Division

RAILROAD COMMISSION

The first step to regulate railroads in California through the establishment of an administrative agency was taken by the Legislature in 1876. Three years later a section relating to this subject was written into the Constitution of 1879. This was followed the next year by a law to carry into effect the constitutional provisions.

In spite of this legislation, regulation of railroads by the state was not adequate. Real control of railroads and public utilities was started in 1911, when the constitution was amended and the Public Utilities Act was passed. After that date the Railroad Commission assumed a position of vital importance in the state government. Its work was separated into administrative departments shortly after March 23, 1912, the date on which the Public Utilities Act went into effect.

Board of Transportation Commissioners

1876 An act was passed in 1876, providing for the appointment by the Governor of three Commissioners of Transportation. The term of office was to be two years, the salary $3,000 per year. The commissioners were to regulate to some extent the operation of steam railroads within the state, "to fix the maximum charges for freights and fares, and to prevent extortion and discrimination on railroads in this State."

Stats. 1875-1876, ch. 515, p. 783. Approved and in effect Apr. 3, 1876.

Commissioner of Transportation

1878 The act of 1876 was repealed in 1878. In place of the Board of Transportation Commissioners, the office of a single Commissioner of Transportation was established. The commissioner was to be the legal successor to the board. He was to serve for a term of four years, with an annual salary of $4,000. His powers were mainly advisory. This act was superseded by constitutional and legislative provisions of 1879 and 1880, but it was not specifically repealed until 1909 (ch. 312, p. 499).

Stats. 1877-1878, ch. 641, p. 969. Approved and in effect Apr. 1, 1878.

Board of Railroad Commissioners

1879 The Constitution of 1879 contained provisions for the regulation of railroads. Arrangements were made for the division of the state into three districts, from each of which one Railroad Commissioner was to be elected at the regular gubernatorial elections. Their term of office was set at four years; the salary was to be fixed by law. The commissioners were to establish freight and passenger rates for railroad and other transportation companies and to prescribe uniformity in accounting systems.

Const. 1879, article XII, section 22.

1880 An act to define and organize the powers of the agency established by the new constitution was passed the next year. The Legislature named the commission the Board of Railroad Commissioners of the State of California. The salary of each commissioner was to be $4,000 per year. All public property belonging to the office of the Commissioner of Transportation was to be delivered to the new board. The act covered all companies operating railroads (except street railroads), steamships and river steamboats. This act also was repealed in 1909.

Stats. 1880, ch. 59, p. 45. Approved and in effect Apr. 15, 1880.

Railroad Commission of the State of California

1909 A new act providing for the organization of the commission was passed in 1909. The laws of 1878 and 1880 were repealed by it. The name was changed to Railroad Commission of the State of California. The salary of the commissioners was raised to $6,000, and certain added powers were assigned to them, but the act did not establish effective railroad regulation.

Stats. 1909, ch. 312, p. 499. Approved and in effect Mar. 19, 1909.

1911 The Legislature made a further attempt in the regular session of 1911 to give force and effect to the constitutional provisions adopted in 1879. The act of 1909 was repealed, but its provisions were expanded in the new law, which contained similar administrative sections. The membership of the commission and the salaries remained the same. The powers of the commission, as limited in the constitution

itself, related to rates and accounts of railroads and other transportation companies.

Stats. 1911, ch. 20, p. 13. Approved and in effect Feb. 9, 1911.

1911 On October 10, 1911, the constitutional sections relating to railroad and public utility regulation were amended by popular vote. Section 22 of article XII created the Railroad Commission of the State of California to consist of five members appointed by the Governor from the state at large. The Legislature was authorized, at its discretion, to divide the state into districts for purposes of appointment. The commissioners were to serve for staggered terms of six years. Salaries were to be fixed by the Legislature.

Section 23 declared that public utilities should be subject to such control and regulation by the Railroad Commission as the Legislature might provide. Accordingly, in December of the same year, the Legislature passed the Public Utilities Act. This law repeated and expanded the constitutional provisions; defining and describing public utilities and their duties, the powers and duties of the Railroad Commission, and procedures before the commission and the courts. The annual salary of each commissioner was set at $6,000, but raised to $8,000 in 1913 (ch. 553, p. 934).

This act and its later amendments, and the constitution, delegated such authority to the commission that rigid regulation of utilities was possible after 1911. That date marked the inception of the California Railroad Commission now in existence.

Stats. Ex. Sess. 1911, ch. 14, p. 18. Approved Dec. 23, 1911; in effect Mar. 23, 1912.

Department of Finance and Accounts

The Department of Finance and Accounts was established about 1919 or 1920. It has charge of all accounting records and gives technical advice to the commission in matters relating to the issuance by utility companies of stocks, bonds and securities. These two general functions were originally administered by two separate divisions of the commission, the Department of Statistics and Accounts and the Stock and Bond Department. The early history is given below.

Stock and Bond Department

1912 In 1912, soon after the new Railroad Commission was organized, a Stock and Bond Department was set up to investi-

gate applications for new issues of securities, and to assist the commission in its activities concerned with the financial conditions of utilities. This department existed as a separate unit until about 1919.

Department of Statistics and Accounts

1912 When the Railroad Commission was organized in 1912, a Department of Statistics and Accounts, in charge of the auditor, was created. It continued under this title until 1919.

Department of Finance and Accounts

1919 During the fiscal year 1919-1920 the Department of Statistics and Accounts was consolidated with the Stock and Bond Department, under the designation Department of Finance and Accounts. Statistical work was transferred to the Department of Information.

Legal Department

Provision for the appointment of an attorney by the Railroad Commission was made in the act passed in the regular legislative session of 1911, and repeated in the Public Utilities Act. An attorney was appointed, accordingly, in April, 1911, and when the work of the commission was organized into departments in the early part of 1912, a Legal Department was established.

Power Administration

The appointment of a Power Administrator by the Railroad Commission on June 22, 1918, was a war measure. ". . . Because of the dry year and the large demand for electric energy by war industries, the power companies in the northern portion of the state were threatened with a shortage of power which would have proved disastrous during the war. By mutual agreement between the Railroad Commission and these companies a Power Administrator was appointed who was given the right to make such orders affecting the relations of the companies to each other and to the public as he might deem necessary." (California. Railroad Commission. Report . . . 1918-1919, p. 102.) The work of the Power Administration ceased on June 30, 1921.

Public Utilities Department

The Public Utilities Department was the result of a reorganization in the Railroad Commission which occurred in 1937. For many years most of the functions administered by this department were dis-

charged by the Engineering Department. In 1935 two of the divisions of the latter department were transferred to a new Transportation Department, and two years later the other divisions were combined with the Research Department to form the Public Utilities Department. There are at present six subdivisions in this department.

Engineering Department

1911 The Engineering Department was established in October, 1911, when the chief engineer was appointed by the Railroad Commission. The duties assigned to the department were so many and varied in character that subdivisions were created during the following year to handle them. By January, 1913, this department was the largest one in the commission. The subdivisions, which in the beginning were primarily functional rather than administrative units, were designated "sections" during the first few years. By 1935 there were seven of them. See *Safety Division* and *Engineering Division* under *Transportation Department* (p. 124), and the subdivisions discussed below.

On March 1, 1937, the Engineering Department was combined with the Research Department to form the Public Utilities Department.

Research Department

1931 The first Director of Research was appointed by the Railroad Commission in May, 1931. He continued in office until August 31, 1934. For a year and a half no one functioned under that title, but on December 1, 1935, a new Director of Research was appointed. The office apparently was referred to as the Research Department. On March 1, 1937, it was amalgamated with the Engineering Department in the new Public Utilities Department.

1. GAS AND ELECTRIC DIVISION.

1912 The Gas and Electric Division was established in the Engineering Department in 1912 when the Railroad Commission's organization was set up. It has caused important reductions in the rates of gas and electric utilities, and has made extensive service investigations. The gas and electric engineer is the head of the division.

2. GENERAL STAFF.

1914 By June, 1914, a general office or administration section was recognized as one of the divisions of the

Engineering Department. Valuations and other special duties were assigned to it, from time to time, until a specific division might be set up to handle them. The General Staff was continued as a unit in the Public Utilities Department when it was created in 1937.

3. HYDRAULIC DIVISION.

1912 The Hydraulic Division was organized during the year following the creation of the Railroad Commission to deal with problems connected with water utilities. It operates under the direction of the hydraulic engineer.

4. RESEARCH DIVISION.

1937 "This division was organized subsequent to March 1, 1937. Through it the Commission is advised as to the earning position and rate of return for the regulated public utilities of California . . . This division with the cooperation of other divisions in the Public Utilities Department and the Department of Finance and Accounts, has made efforts to assemble pertinent engineering and accounting information relative to the operations of several major public utilities, thereby affording the basic data which is used for the negotiations of the informal rate reductions." (California. Railroad Commission. Letter of transmittal . . . 1936-1937, p. 6.)

5. TELEPHONE AND TELEGRAPH DIVISION.

1914 During the fiscal year 1914-1915 the engineers engaged in telephone and telegraph matters were transferred from the Rate Department to the Engineering Department. In the latter department certain activities relating to telephone companies had previously been included in the work of the Gas and Electric Division. After the transfer of the telephone engineers, a new section, designated Telephone and Telegraph Division. was created. It is in charge of the telephone and telegraph engineer.

6. VALUATION DIVISION.

1926 During the fiscal year 1926-1927 a Valuation Division was established in the Engineering Department. The work of investigating and preparing reports in connection with appraisals of public utility properties had

been carried on for several years by engineers in the general staff or office of the department under the direction of the chief engineer. At this time, however, a separate division in charge of the valuation engineer was organized.

Reporting Department

This department is not among those which were created at the time the Railroad Commission was first organized in 1912. It seems to have been established quite early in the existence of the commission, however; probably during the fiscal year 1913-1914. The Reporting Department makes a record of the proceedings in all formal hearings before the commission.

Secretary's Department

Both the Railroad Commission Act of 1911 and the Public Utilities Act provided for the appointment of a secretary by the Railroad Commission. This provision had appeared also in the earlier railroad acts. When the work of the commission was segregated into departments in 1912, therefore, a section called Office was set up to handle general administration, correspondence, etc., and placed in charge of the secretary. By 1920, apparently, this division was designated Secretary's Department.

Recorder

Department of Information

1917 A Department of Information, under the control of the Recorder, is first listed in the report of the Railroad Commission for the 1917-1918 fiscal year.

Recorder

1920 After two or three years the title of Department of Information was dropped, and under the designation Recorder were grouped library, publicity, statistics, and annual report.

1922 By the fiscal year 1922-1923 the Recorder's Office was a division of the Secretary's Department.

Service Department

The Service Department no longer exists as a division of the Railroad Commission. In one form or another it was recognized as a specific unit from 1913 until 1926.

Engineering Department. Service Bureau.

1913 In April, 1913, a Service Bureau was established in the Engineering Department, and a railroad service expert was employed. The functions of the new division related mainly to the settlement of complaints of railroad service and the investigation of accidents.

Rate Department. Service Division.

1914 After a year as a part of the Engineering Department, the Service Bureau was transferred, in March, 1914, to the Rate Department.

Service Department

1920 About 1920 this department seems to have acquired the status of a separate department of the commission.

1926 The Service Department went out of existence on October 1, 1926. Its major duties were transferred to the Transportation Division of the Engineering Department. For a later subdivision dealing with accident investigation, see *Transportation Department—Safety Division* (p. 125).

Transportation Department

An important reorganization took place in the Railroad Commission in 1935. During that year it was decided to bring together in one department all divisions administering functions related to transportation utilities. On July 1, 1935, therefore, a Transportation Department was established. It was a combination of the former Rate Department, Auto Stage and Truck Department, and two divisions of the Engineering Department. It has at present five subdivisions.

1. ENGINEERING DIVISION.

Engineering Department. Transportation Division.

1912 This division was set up in 1912. It was called, during the first year, Railroad Division. Although it functioned as a separate division, and is so listed in the annual reports of the Railroad Commission, it did not attain the status of the gas and electric, hydraulic, and telephone and telegraph divisions until the fiscal year 1921-1922, when a transportation engineer was appointed specifically to administer this section. The division had previously been in charge of the chief engineer.

Engineering Division

1935 When the Transportation Department was created in 1935, the Transportation Division of the Engineering Department was transferred to it and the name was changed to Engineering Division.

2. DIVISION OF INVESTIGATION.

1935 After the Transportation Department was established in 1935, a special division was created to assist in the enforcement of the new highway and city carriers' acts and the Public Utilities Act. This was called the Division of Investigation. In the beginning it carried on an educational campaign among truckmen, after which it undertook proceedings in the courts. It also received and settled complaints.

3. RATE DIVISION.

Rate Department

1912 A Rate Department was established in the Railroad Commission in 1912 when it was organized. Such a volume of work relating to rates for all kinds of utilities was assigned to it at its inception, that it was necessary to set up several subdivisions immediately. The following divisions were included: Transportation; Telephone and Telegraph; Electric Light and Power; Warehouse; and Complaints. During the fiscal year 1914-1915, however, the majority of these functions were transferred to similar divisions in the Engineering Department. In annual reports after that date the only subdivision listed as a separate unit was the Service Division. For the history of this division, see *Service Department* (p. 123).

Rate Division

1935 In 1935 the Rate Department was combined with certain other departments and divisions of the commission to form the Transportation Department. The name was changed to Rate Division.

4. SAFETY DIVISION.

Engineering Department. Safety Division.

1929 For many years the work of investigating accidents and causes of accidents in the operation of common carriers was handled by the Service Department of the

Railroad Commission. It was carried on, after 1926, by the Transportation Division of the Engineering Department. This work finally assumed such importance, however, that a new subdivision, known as the Safety Division, was created in the department on May 1, 1929. It was placed under the direction of the safety engineer.

Safety Division

1935 When the Transportation Department was established in 1935, the Safety Division was transferred from the Engineering Department to it.

5. TRUCK AND STAGE DIVISION.

In recent years the transportation of freight and passengers by truck and bus has increased enormously. The division of the Railroad Commission concerned with regulation of such utilities has developed accordingly.

Auto Stage and Truck Department

1921 A law passed in 1917 provided for the supervision and regulation by the Railroad Commission of the transportation of persons and property for compensation over any public highway of the state by automobiles, busses, auto trucks, stages, and auto stages. The work devolving upon the commission as a result of the passage of this act and its later amendments, necessitated by 1921 the creation of a special department. The Automobile, or Auto Stage, Department was established in May or June, 1921. By 1924 it was called Auto Stage and Truck Department.

Stats. 1917, ch. 213, p. 330. Approved May 10, 1917; in effect July 27, 1917.

Truck and Stage Division

1935 In 1935 two laws were passed which greatly expanded the activities of the Railroad Commission by bringing under its jurisdiction contract motor carriers as well as common carriers. These were the Highway Carriers' Act (ch. 223, p. 878) and the City Carriers' Act (ch. 312, p. 1057). The acts were amended in 1937. Administration of these statutes resulted in the reorganization in which the Transportation Department was created. The Auto Stage and Truck Department became the Truck and Stage Division of the new department.

RACING REGULATION

California Horse Racing Board

CALIFORNIA HORSE RACING BOARD

An attempt to regulate and license horse racing and betting in California was made in 1926. An initiative measure on the subject was rejected by the voters on November 2, 1926. Nothing more was done until 1933, when an act was passed establishing the California Horse Racing Board.

In 1933, in fact, two laws regulating racing were enacted. The first one, approved in May (ch. 436, p. 1127), was superseded by another one with identical provisions in most respects, approved in June. This act was confirmed by a constitutional amendment adding section 25a to article IV, adopted June 27, 1933.

1933 The law passed in 1933 provided that the California Horse Racing Board should consist of three members (five, according to the first act) appointed by the Governor for staggered terms of four years. Members were to serve without compensation other than necessary traveling expenses. The function of the board was to regulate, license, and supervise horse racing and wagering on horse races. Only the pari mutuel method of wagering was to be used, and the board was to collect a certain percentage of the pools. Participants and officials were to be licensed.

Stats. 1933, ch. 769, p. 2046. Approved June 5, 1933; in effect June 27, 1933.

REGULATION OF PROFESSIONS

State Bar of California
Board of Osteopathic Examiners
State Board of Chiropractic Examiners

STATE BAR OF CALIFORNIA

The function of examining and passing upon the qualifications of those who wished to practice law in California was early assigned to the supreme court. It was not until 1919 that a special state board was created to perform this duty. Finally, in 1927, the responsibilities of the State Board of Bar Examiners were turned over to a special committee of the State Bar of California. The current legal provisions affecting the State Bar may be found in the Business and Professions Code. Chapter 34 of the Statutes of 1939 made the State Bar Act a chapter in this code.

State Board of Bar Examiners

1919 A new section added to the Code of Civil Procedure in 1919 created the State Board of Bar Examiners. The supreme court was empowered to appoint three competent attorneys to examine applicants for admission as attorneys and counselors at law. The members of the board were to hold office at the pleasure of the supreme court. They were each to receive as an annual salary a sum not to exceed $1,000, to be determined by the supreme court.

Stats. 1919, ch. 347, p. 721. Approved May 18, 1919; in effect July 22, 1919.

1931 The State Bar Act of 1927, to all practical purposes, abolished the State Board of Bar Examiners. The sections of the Code of Civil Procedure relating to the board, however, were not repealed until 1931.

Stats. 1931, ch. 861, p. 1761. Approved June 12, 1931; in effect Aug. 14, 1931.

State Bar of California

1927 The State Bar Act, passed in 1927, created the State Bar of California as a public corporation, and defined its membership, organization, powers and duties, etc. The administrative body was to be the Board of Governors of the State Bar. It was to consist of one member elected from each congressional district in California, and four members elected from the state at large. The term of office was set at one year.

A special committee to be appointed by the Board of Governors was authorized to take over the duties of the State Board of Bar Examiners by virtue of the following: "With the approval of the supreme court, and subject to the provisions of this act, the board shall have power to fix and determine the qualifications for admission to practice law in this state, and to constitute and appoint a committee of not more than seven members with power to examine applicants and recommend to the supreme court for admission to practice law those who fulfill the requirements." Subsequently this section was modified somewhat; the phrase limiting the membership of the committee to seven in number was deleted in 1931.

Stats. 1927, ch. 34, p. 38. Approved Mar. 31, 1927; in effect July 29, 1927.

1929 The term of office of the members of the Board of Governors was changed to two years in 1929. Eight governors were to be elected in every even-numbered year and seven in every odd-numbered year.

Stats. 1929, ch. 708, p. 1256. Approved June 6, 1929; in effect Aug. 14, 1929.

1933 In 1933 the state was divided into specific State Bar Districts, and provision was made for the election of members to the Board of Governors from these districts rather than from congressional districts. At the same time it was provided that the governors should be elected thereafter for staggered terms of three years.

Stats. 1933, ch. 430, p. 1087. Approved May 16, 1933; in effect Aug. 21, 1933.

BOARD OF OSTEOPATHIC EXAMINERS

The regulation of osteopathy as a specific branch of medicine was started in 1901. When the Medical Practice Act of 1907 was passed, osteopathy and all other branches of medicine were placed under the control of a composite examining board. After 1913, until the initiative measure of 1922 was passed, the practice of osteopathy received no special recognition, but was supervised in the same manner as all medical practice by the Board of Medical Examiners.

State Board of Osteopathic Examiners

1901 General regulation of the medical profession was begun in 1876 with the creation of boards of medical examiners. For the complete history, see *Board of Medical Examiners*, in v. 1, p. 189. In 1901, however, the system of treating disease known as osteopathy was separated from the practice of medicine or surgery in general, and a special State Board of Osteopathic Examiners was created. The board was to consist of five persons having certain qualifications who were appointed by the Osteopathic Association of the State of California for a term of two years. The board was to issue licenses to applicants wishing to practice osteopathy.

Stats. 1901, ch. 99, p. 113. Became a law and went into effect Mar. 9, 1901.

1907 The act of 1901 was repealed in 1907. Osteopathy, however, was represented on the Board of Medical Examiners which was created at that time. Two members of the board were to be appointed by the Governor from a list of four names submitted by the Osteopathic Association of California. A separate certificate for osteopathy was to be issued by the board. This situation was changed in 1913, when the present Medical Practice Act was passed, and osteopathy was no longer accorded special recognition.

Stats. 1907, ch. 212, p. 252. Approved Mar. 14, 1907; in effect May 1, 1907.

Board of Osteopathic Examiners

1922 The Osteopathic Act, an initiative measure passed in 1922, created the Board of Osteopathic Examiners of the State of California. The board was to consist of five members

appointed by the Governor for staggered terms of three years. All members were to be graduates of osteopathic schools who held unrevoked licenses to practice in California. They were to receive no compensation except traveling expenses and $10 for each day of actual service in the discharge of official duties. The new board succeeded to the powers and duties of the Board of Medical Examiners in regard to licensing osteopaths, and was required to enforce the provisions of the state medical practice act in so far as it applied to osteopathic schools and practitioners.

Stats. 1923, p. xciii. Initiative measure approved by electors Nov. 7, 1922; in effect Dec. 21, 1922.

STATE BOARD OF CHIROPRACTIC EXAMINERS

The State Board of Chiropractic Examiners was established in 1922 by an initiative measure approved November 7 and in effect December 21 of that year. The board was to consist of five members appointed by the Governor for staggered terms of three years. Members were required to possess certain qualifications and to be graduates of a regularly incorporated chiropractic school or college. No two members whose first diplomas were issued by the same school or college of chiropractic might serve on the board simultaneously. The only compensation allowed was traveling expenses and $10 for each day actually spent in the discharge of official duties. The function of the board was to examine applicants and to issue and revoke licenses to practice chiropractic, and to adopt rules and regulations for the performance of its work.

STATE UNIVERSITY
University of California

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UNIVERSITY OF CALIFORNIA

The majority of California state institutions come under the jurisdiction of one or another of the large government departments. They have been described, therefore, in the first volume of this study. The University of California, however, has a unique position in the state government. A brief outline of the constitutional and statutory provisions concerning it is included here. No attempt has been made to tell the complete story of the growth of the institution or of the evolution of its many ramifications, as this material has been covered thoroughly in the various published histories of the University.

The organic act establishing the University of California was passed in 1868. In the first sixty years the institution exhibited such amazing vitality in its development that it came to serve more full-time resident students than any other college or university in the United States. By 1938 the Berkeley campus alone led all colleges and universities in the country. The university has in all, however, seven campuses. Besides the largest and most widely known elements of the institution, namely, those on the Berkeley campus and the Los Angeles campus, other units hold strategic positions. The College of Agriculture offers supplementary instruction at Davis, on the University Farm; and at Riverside, site of the Citrus Experiment Station. At Pomona is the W. K. Kellogg Institute of Animal Husbandry. The Medical Center, with research laboratories, clinics, and a hospital, is in San Francisco; and in that city also are the Hastings College of the Law and the California School of Fine Arts. Centers of advanced research are the Lick Astronomical Observatory, on Mount Hamilton, and the Scripps Institute of Oceanography at La Jolla.

1849 The first mention of a state university appeared in the Constitution of 1849. One section required the Legislature to manage all lands received from the United States or other sources for the use of a university. The money obtained from the sale or rent of such lands was to be put into a permanent fund, the interest of which was to be applied to the support of the institution. Nothing was said about the actual organization or administration of the university.

Const. 1849, article IX, sec. 4.

1863 In the years following the adoption of the Constitution of 1849, little was done toward the actual establishment of a university. Succeeding Legislatures considered measures

both for its creation, and for the diversion of university funds to aid existing incorporated colleges instead. The United States Congress gave grants of land to the state for a "seminary of learning" and for an agricultural college. A definite step was taken, however, in 1863, when the Legislature adopted a concurrent resolution constituting the State Geologist, the Superintendent of Public Instruction, and the Surveyor General a special board of commissioners to investigate the feasibility of establishing a state university. The commission was to report by December, 1863. The projected institution was to include an agricultural college, a school of mines, and a museum which should include the geological collection of the state.

Stats. 1863, A. C. R. no. 31, p. 793. Adopted Apr. 22, 1863.

1866 An act to establish an Agricultural, Mining, and Mechanical Arts College was passed in 1866. The college was to be under the control of a board of directors consisting of the Governor, president of the State Agricultural Society, president of the Mechanics' Institute of the City and County of San Francisco, and five other members. These five members were to be elected by the Legislature; three of them were to be from mining counties, and the other two from agricultural counties. They were to serve for a term of two years. They were to receive no compensation other than expenses incurred while on official business. The board was to select a site for the college, to authorize expenditures, and, in general, to administer the institution.

Stats. 1865-1866, ch. 408, p. 504. Approved Mar. 31, 1866.

1868 The University of California was finally established by a statute passed in 1868, which superseded the law of 1866. The latter act was repealed, and the Board of Directors of the Agricultural, Mining, and Mechanic Arts College was ordered to turn over all property and effects to the Regents of the University of California. The Board of Regents, which was to manage the new institution, was to consist of twenty-two members. Ex officio members included the Governor, Lieutenant Governor, speaker of the Assembly, Superintendent of Public Instruction, president of the State Agricultural Society, and the president of the Mechanics' Institute of the City and County of San Francisco. Eight members were to be appointed by the Governor, with the advice of the Senate, for staggered terms of sixteen years. Eight additional honorary members were to be selected by

the official and appointed members, and they, too, were to serve for staggered terms of sixteen years. The organization of the university into special colleges, and many regulations for its administration, were also included in the act.

The university was to be located on the grounds donated to the state by the College of California. It was, in fact, an outgrowth of the latter institution. To give the history of the College of California in the briefest possible manner: it was organized as the Contra Costa Academy on June 20, 1853; chartered by the State Board of Education as the College of California on April 13, 1855; and continued as the College of Letters of the University of California after 1868.

Stats. 1867-1868, ch. 244, p. 248. Approved and in effect Mar. 23, 1868.

1879 In the new constitution, adopted in 1879, it was provided that the University of California should constitute a public trust and that its organization and government should be perpetually continued in the form and character prescribed by the organic act creating it in 1868. It was to be kept entirely free from all political and sectarian influences. There were also provisions concerning the sale of public lands and the investment of the proceeds in a fund for the support of the university. A College of Agriculture specifically was to be included in the university.

Const. 1879, article IX, sec. 9.

1918 As the constitution was amended in 1918, the Board of Regents was designated as the corporation which should administer the University of California. The board was given full powers of organization, subject only to such legislative control as might be necessary to insure compliance with the terms of the endowments of the university and the security of its funds. The board was to consist of sixteen members appointed by the Governor, and eight ex officio members as follows: the Governor, Lieutenant Governor, speaker of the Assembly, Superintendent of Public Instruction, president of the State Board of Agriculture, president of the Mechanics Institute of San Francisco, president of the alumni association of the university, and the acting president of the university. The appointive members were to serve for staggered terms of sixteen years. The other provisions of the original section were retained in the amended form.

Const. 1879 article IX, sec. 9, as amended Nov. 5, 1918.

DISASTER PREPAREDNESS

State Emergency Council

STATE EMERGENCY COUNCIL

In the past few years various attempts have been made, particularly by municipalities, to draw up preparedness plans in order to have a working-organization in readiness whenever disaster might strike. In 1929 the State of California took a similar step in creating the State Emergency Council.

1929 The State Emergency Council was established in 1929. It was to consist of the heads of the Departments of Finance, Public Works, Military and Veterans' Affairs, and Public Health; a member representing the American Legion; one representing the American Red Cross; a member representing the transportation interests of California; one from the business organizations of the state; and one peace officer. The members were to be appointed by the Governor for a term of two years, and were to serve without pay other than expenses incurred in the performance of official business.

The purpose of the council was to prepare a plan and to consider ways and means for dealing with possible future emergencies in the state. The Governor was required to declare, in times of such disasters as fires, floods, earthquakes, etc., that an emergency existed. Under certain conditions he was to designate officers or departments to take charge of necessary relief work. The State Emergency Council was to cooperate in such activities.

Stats. 1929, ch. 662, p. 1111. Approved June 3, 1929; in effect Aug. 14, 1929.

LEGISLATIVE ASSISTANCE

Legislative Counsel Bureau
California Code Commission
Commission on Uniform State Laws
California Commission on Intergovernmental Cooperation

LEGISLATIVE COUNSEL BUREAU

Strictly speaking, a discussion of the Legislative Counsel Bureau should not be included in this outline, inasmuch as this agency is attached to the legislative, rather than the administrative, branch of the state government. In order to enhance the reference value of the work, however, all agencies of the state have been included outside of the Legislature itself and the California courts.

Moreover, although the principal duty of the Legislative Counsel is to assist members of the Legislature in drafting bills, resolutions, and constitutional amendments, and to serve legislative committees both during and between sessions, he is also subject to call of any officer of the executive or judicial branches of the government in the preparation or consideration of legislative measures. He is required to prepare certain publications such as legislative digests and statutory indexes; and he has served on various governmental commissions from time to time.

1913 The Legislative Counsel Bureau was created in 1913. A Legislative Counsel Bureau Board was also created at the same time. The latter was to consist of five members, of which one was to be the Governor or someone acting for him at his request, two were to be chosen by the Senate from its members for a term of four years, and two were to be chosen by the Assembly from its members for a term of two years. The two senators were to be of different political parties, and this restriction applied also to the two assemblymen. The function of the board was to appoint and to supervise the activities of a chief of the Legislative Counsel Bureau. This officer was to serve for a term of four years; although provision was made for his removal before the expiration of the period. His salary was to be set by the board. The members of the board were to receive no compensation other than expenses incurred in the discharge of official duties.

The duty of the Legislative Counsel Bureau, briefly stated, was to prepare and to assist in the preparation, amendment, and consideration of legislative bills.

Stats. 1913, ch. 322, p. 626. Approved May 26, 1913; in effect Aug. 10, 1913.

1917 In 1917 the Legislature changed the method of selecting the chief of the Legislative Counsel Bureau, with consequent abolition of the Legislative Counsel Bureau Board. The chief was given the title of Legislative Counsel of California; and it was provided that he was to be appointed by and to hold his office at the pleasure of the Governor. The salary was set at $4,000 per annum. The Legislative Counsel was authorized to employ such professional, clerical, and other employees as were necessary to carry on the work of the bureau. The functions of the Legislative Counsel were expanded at this time.

Stats. 1917, ch. 727, p. 1398. Approved May 31, 1917; in effect July 30, 1917.

1931 An amendment passed in 1931 changed once more the method of appointing the Legislative Counsel. He was to be selected thereafter every two years before the first Wednesday after the first Monday after the first day of January in each odd-numbered year by the Senate and Assembly in joint session. If the office fell vacant while the Legislature was not in session, selection was to be made by a committee consisting of the speaker of the Assembly, the speaker pro tempore of the Assembly, the president pro tempore of the Senate, and the chairman of the finance committee of the Senate.

Stats. 1931, ch. 853, p. 1748. Approved June 12, 1931; in effect Aug. 14, 1931.

CALIFORNIA CODE COMMISSION

The present California Code Commission was established in 1929 for the purpose of revising the laws of the state. The idea of compiling the statutes into codes is not a new one. Twice before commissions have been created for that purpose, the first one in 1868 and the second in 1895.

To the earliest commission was assigned the tremendous task of arranging a large portion of the laws passed between 1850 and 1868 into four codes. As a result of the labors of this body the Political, Civil, and Penal Codes, and the Code of Civil Procedure, were passed in 1872. The second body made further additions and corrections in these codes. The present commission has undertaken the ambitious program of compiling also codes of laws in special fields. Several codes like the Fish and Game Code and the Labor Code have already been completed and accepted by legislative enactment.

More complete discussion and statutory references for all these bodies are given below.

Commission for the Revision of the Laws

1868 A law passed in 1868 constituted three named individuals a commission for the revision and compilation of the laws of the state. The commissioners were to finish their work by July 1, 1869, delivering the codes to the next Legislature for approval. They were to receive a salary of $400 a month for the time actually engaged in the performance of their duties.

Stats. 1867-1868, ch. 365, p. 435. Approved and in effect Mar. 28, 1868.

1870 A new commission to continue the labors of the one appointed in 1868 was created in 1870. It was to consist of three members of the legal profession appointed by the Governor. The earlier commission was to deliver all its documents and books to the new body. Not only was this commission to revise and compile all the statutes of the state, but it was also to recommend additional legislation for the clarification and completion of existing legislation, and to prepare and present the necessary bills. Its work was to be completed by November 1, 1871. The salary of

the commissioners was set at $6,000 a year for the time actually engaged in revision and in the preparation of their report.

Stats. 1869-1870, ch. 516, p. 774. Approved and in effect Apr. 4, 1870.

Commissioners for the Revision and Reform of the Law

1895 By 1895 further work on the state laws seemed necessary. An act passed in that year provided for a commission of three members, appointed by the Governor for a term of two years. The commissioners were to possess certain qualifications: they were to be of different political parties, to belong to the legal profession, to have practiced law in this state for more than five years prior to appointment, and to have been admitted to practice before the Supreme Court.

The commissioners were to revise the codes and statutes, to give suggestions to the Legislature for the promotion of the public welfare, to suggest bills for correcting errors and omissions, to serve as legislative advisors, and, in general, to clarify the state laws. They were to receive as salary $4,000 each per annum.

Stats. 1895, ch. 222, p. 345. Approved and in effect Mar. 28, 1895.

1903 The act of 1895 was amended in 1903. In place of the three commissioners, provision was made for the appointment by the Governor of one Commissioner for the Revision and Reform of the Law. He was to have the same qualifications as those prescribed for the earlier commissioners. He was to hold office for two years only, and the act was to become inoperative on May 1, 1905. Later amendments in 1905 and 1907, however, continued the work until 1911. The salary of the commissioner was set at $3,600 a year.

Stats. 1903, ch. 362, p. 479. Approved Mar. 25, 1903; in effect Apr. 15, 1903.

California Code Commission

1929 The California Code Commission was created in 1929. It was to consist of nine members appointed by the Governor. No term of office was specified, but the commission was required to make its report by December 15th preceding the next regular session of the Legislature. The chief of the Legislative Counsel Bureau was to be the secretary.

The function of the commission was to codify, consolidate, revise, or compile the statutes of California, and

to prepare a statutory record. Members were to serve without compensation, but were allowed expenses incurred in traveling and in the actual discharge of their duties. The first commission was due to go out of existence in 1931, but later amendments continued the act of 1929 in force, and the commission is still active at the present time.

Stats. 1929, ch. 750, p. 1427. Approved June 10, 1929; in effect Aug. 14, 1929.

COMMISSION ON UNIFORM STATE LAWS

The National Conference of Commissioners on Uniform State Laws was organized in 1892. Ever since then there have been yearly meetings of representatives from a majority of the states. The purpose, as indicated by the name of the conference, has been to draft laws on subjects where uniformity seems desirable and practicable. These uniform laws may then be adopted by the legislatures in the different states.

California created a commission to cooperate in this movement as early as 1897. It was abolished in 1901, however, and another commission was not established until 1927.

Commission for the Promotion of Uniformity of Legislation in the United States

1897 A law passed in 1897 provided that the Governor should appoint three Commissioners for the Promotion of Uniformity of Legislation in the United States. No term of office was specified. No compensation was provided for members, but the commission was allowed $500 a year to cover traveling and other expenses. The commissioners were "to ascertain the best means to effect an assimilation and uniformity in the laws of the States", and to represent California at the national conferences.

Stats. 1897, ch. 80, p. 74. Approved and in effect Mar. 9, 1897.

1901 The act of 1897 was repealed in 1901.

Stats. 1901, ch. 44, p. 49. Approved and in effect Feb. 26, 1901.

Commission on Uniform State Laws

1927 A new Commission on Uniform State Laws was created by the Legislature in 1927. It was to consist of three commissioners, each of whom was to be a member of the bar of this state in good standing, appointed by the Governor. The term of office was set at four years. No compensation was allowed commissioners, but the sum of $500 per year (raised to $1,000 in 1929) was provided for traveling and other expenses of the commission.

Stats. 1927, ch. 498, p. 838. Approved May 14, 1927; in effect July 29, 1927.

CALIFORNIA COMMISSION ON INTERGOVERNMENTAL COOPERATION

The Council of State Governments was organized in 1935, as an outgrowth of the American Legislators' Association. By March, 1939, thirty-eight states had joined the council, through appointment of special commissions on interstate cooperation. California took the necessary step in 1938.

1938 In order to foster interstate cooperation, and to affiliate with the American Legislators' Association and the Council of State Governments, a Senate Concurrent Resolution, passed in the special session of 1938, established the California Commission on Intergovernmental Cooperation. The commission was to be composed of the five members of a regular Senate standing committee known as the Senate Committee on Intergovernmental Cooperation; the five members of a similar Assembly committee; and the five members of the Governor's Committee on Intergovernmental Cooperation. The latter committee was to consist of five members appointed by the Governor for a term of one year, or until their successors were appointed. The Governor, the president of the Senate, and the speaker of the Assembly were to be ex officio, nonvoting members of the general commission. All members of the commission were to serve without compensation.

The function of the California Commission on Intergovernmental Cooperation was to carry forward the participation of this state as a member of the Council of State Governments, and to cooperate in all possible ways with the various governments in the United States.

The committees and commission established by the act were to be known informally as the Senate Cooperation Committee, the Assembly Cooperation Committee, the Governor's Cooperation Committee, and the California Cooperation Commission.

Stats. Ex. Sess. 1938, S. C. R. no. 7, p. 166. Filed with Secretary of State Mar. 16, 1938.

1939 In the 1939 legislative session an act, instead of a resolution, was passed. The purpose of this was to give the committees

continuity of existence beyond the current legislative term. The wording of the new law, however, was quite similar in most respects to the 1938 resolution. The commission was to consist of fifteen members; the Senate and Assembly committees, and "Five officials of the State appointed by the Governor who shall hold office during the pleasure of the Governor and one of whom shall be designated by him as chairman of the commission."

Stats. 1939; ch. 376. Approved June 5, 1939.

JUDICIAL ADMINISTRATION

Judicial Council
Commission on Qualifications (Judicial)

JUDICIAL COUNCIL

As in the case of the Legislative Counsel Bureau, the Judicial Council perhaps should not be included in a study of this type. It is strictly a part of the judicial rather than the administrative branch of government. In an attempt, however, to make this outline as inclusive as possible, only the Legislature and the courts themselves have been omitted.

From one point of view the Judicial Council has certain administrative duties, as it surveys the condition of business in the several courts for the purpose of simplifying and improving the administration of justice, and submits such suggestions to the courts as may seem in the interest of uniformity and expedition of business; marshals judicial manpower to meet as far as possible the needs of all courts, particularly trial courts when illness or unavoidable absence or disqualification of a judge occurs, or calendars become congested; adopts and amends rules of practice and procedure for the courts; and makes such recommendations to the Governor and the Legislature as it deems proper.

The Judicial Council was created by an amendment adding section 1a to article VI of the Constitution, adopted by a vote of the people on November 2, 1926. It consists of the chief justice or acting chief justice, and of one associate justice of the supreme court, three justices of district courts of appeal, four judges of superior courts, one judge of a police or municipal court, and one judge of an inferior court, selected by the chief justice. The term of office is two years, but appointment terminates at once in the event of a member ceasing to be a judge of the court from which he was assigned. The members of the Judicial Council receive no compensation for their services as such, but are allowed necessary expenses for travel, board and lodging incurred in the performance of official duties.

COMMISSION ON QUALIFICATIONS (JUDICIAL)

An initiative measure, adopted by the people on November 6, 1934, added section 26 to article VI of the constitution. This section changed the method of succession and selection to vacancies in office of appellate and supreme court justices in California. As a new element, a Commission on Qualifications was created by the amendment. The function of the commission was to confirm, by a majority vote, the appointments of the Governor or his nominations to fill judicial offices in the courts above indicated.

The Commission on Qualifications consists of (1) the chief justice or acting chief justice of the supreme court; (2) the senior presiding justice of the district court of appeal of the district in which a justice of a district court of appeal is to serve, or, in the case of the nomination or appointment of a justice of the supreme court, the presiding justice who has served longest as such upon any of the district courts of appeal; and (3) the Attorney General.

This method may become applicable to the superior court within a county upon adoption by its electors.

Another duty of the Commission on Qualifications is concerned with the retirement for permanent disability of a judge under Section 3 of the Judges' Retirement Law (Stats. 1937, ch. 770, p. 2204).

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